



London Breed, Mayor

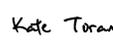
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Jeffrey Tumlin, Director of Transportation

TO: Powered Scooter Share Program Staff and Interested Parties

FROM: Jeffrey Tumlin, Director of Transportation 

THROUGH: Tom Maguire, Streets Director 
Kate Toran, Taxis, Access, and Mobility Services Director 

DATE: August 13, 2021

SUBJECT: 2021 Powered Scooter Share Permit Program - Revised

This revised memorandum supersedes the 2021 Powered Scooter Share Permit Program memorandum dated June 25, 2021.

This memorandum directs SFMTA Scooter Share Program staff regarding the issuance of permits for powered scooter share operations in San Francisco. This directive reflects due consideration of the public interest and safety of the transportation system and is based on findings and analysis by the SFMTA.

In accordance with San Francisco Transportation Code Sec. 916, SFMTA scooter share program staff are directed to:

- Issue 12-month permits to Lime and Spin, with a start date no later than July 1, 2021 and issue a pro-rated 12-month permit to Scoot, with a start date no later than August 20, 2021.¹ Each permit will initially allow up to the same number of devices that they are currently allowed to operate under their respective permits.
- Inform permittees that they have the potential to increase the number of scooters incrementally during the permit term. The SFMTA has discretion to consider a permittee's request to increase the allotted number of permitted scooters if the permittee meets the fleet expansion criteria as detailed in the Distribution Guidelines and Requirements, including but not limited to: (1) compliance with the terms and conditions of the permit;

¹ Based on the timing of this updated memorandum, staff have taken some actions already, including issuing permits to Lime and Spin with a start date of July 1, 2021. As discussed further in this Directive, the later start-date for the Scoot permit is due to the need for the SFMTA to investigate information—confirmed by Scoot—that it had operated unauthorized and inadequately insured contractors in violation of its 2019 permit program terms. Staff completed its investigation and evaluation of Scoot's application and determined that Scoot should be issued a permit under the 2021 Powered Scooter Share Permit Program.



- (2) metrics focused on equity, safety, and accountability; and (3) permittee's consistent deployment of the existing permitted fleet.
- Retain the maximum combined number of permitted scooters at the same level as for the 2019-2020 Powered Scooter Share Program, which is up to 10,000 scooters total.
 - Include an option to extend permits for an additional year at the discretion of the Director based on compliance with the Permit Terms and Conditions, as well as with certain metrics as determined by the SFMTA.
 - Monitor and evaluate, throughout the permit period, the overall impact to the City from scooter deployment and the performance of each permittee to determine their adherence to the permit terms and conditions. As part of this ongoing evaluation, the SFMTA will evaluate compliance with all plans and proposals submitted in the permittees' original applications which will be incorporated into each permit by reference. SFMTA will make policy recommendations, including amending the Transportation Code if necessary.
 - Deny a permit to Helbiz based on the SFMTA's evaluation of its application.
 - The SFMTA generally is not planning to consider additional scooter share permittees to operate during the permit period; however, the Director of Transportation reserves discretion on this issue.

This directive reflects the SFMTA's thorough review of the four powered scooter share applications received, and determination that three permittees is the appropriate number of permittees given the SFMTA's experience with the Powered Scooter Share Program, and that the proposals submitted by Lime, Scoot, and Spin were strong applications. While the SFMTA temporarily deferred a decision on Scoot's application, it has now completed its evaluation of Scoot's application and found that the three applications not only met all of the standards set in the Agency's permit criteria, but exceeded those standards in most respects, whereas the application by Helbiz did not. The actions detailed in this memorandum ensure that the Powered Scooter Share Program (Program) continues to serve the public interest, maintain safe and accessible public rights-of-way, and provide new mobility options to underserved communities, while also continuing to provide opportunities for mobility innovation.

BACKGROUND

Powered scooter share systems have expanded rapidly after first appearing in North America in 2017, and have since become an established component of the urban mobility landscape. However, numerous challenges surfaced in March 2018 when several companies deployed scooter share programs in San Francisco in the absence of a permitting or regulatory scheme. While scooter share programs introduced a new transportation option with the potential to reduce traffic congestion, parking demand, and carbon emissions, their initial deployment significantly impacted the safety and accessibility of San Francisco's sidewalks due to illegal sidewalk riding and scooters left in locations that impeded pedestrian access and created hazards.



Based on these concerns and San Francisco’s past experience regulating shared mobility systems, the Board of Supervisors and the SFMTA Board of Directors amended Divisions I and II, respectively, of the Transportation Code in 2018 to authorize the SFMTA to implement a 12-month Powered Scooter Share Pilot Program.² Based on the conclusions of the SFMTA’s mid-Pilot evaluation provided in April 2019, the SFMTA Board amended the Transportation Code to make the program permanent and authorize the Director of Transportation to establish the number of permittees and a cap on the number of powered shared scooters per permittee.

Following adoption of revised Transportation Code provisions in July 2019, SFMTA staff implemented a revised permit process and issued four permits in October 2019 from a pool of 11 applications. The 2019-2020 permit program took lessons learned from the Pilot and strengthened oversight of Powered Scooter Share in San Francisco, particularly with respect to safety and disabled access, accountability, labor, equitable access, community engagement, and sustainability.

In February and March 2020, the Mayor and Health Officer each issued orders in response to the COVID-19 emergency, with the Health Officer’s order requiring that residents remain in place, with the only exception being for essential needs. Powered Scooters were deemed to be an essential service and were therefore able to continue operations.

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 permits by six months until April 15, 2021 to respond to changes resulting from the COVID-19 emergency. On January 19, 2021, the SFMTA further suspended the one-year requirement and authorized further extensions of an additional two and a half months to June 30, 2021, to allow permittees further time to recover from surges in the pandemic, and to align the permit program to a fiscal year schedule consistent with other SFMTA permit programs.

² Further background on the regulation of scooters in San Francisco can be found in the Reference Documents section.



APPLICATION EVALUATION CRITERIA

The [application](#) was published on March 4, 2021, and applications were accepted until March 31, 2021. The SFMTA published [several guidelines and requirements](#) with the application that provide guidance on what a robust application should contain. The SFMTA also answered more than 25 questions at its [Question and Answer session](#) on March 12 to assist applicants in submitting stronger proposals. Finally, the full [scoring rubric](#) (Evaluation Scoresheet) was published with the application so that applicants knew how their proposals would be scored.

The application requirements and review criteria are aligned with San Francisco's Guiding Principles for Emerging Mobility Services and Technologies (Guiding Principles), which were adopted by the SFMTA Board of Directors on July 18, 2017.³ The Guiding Principles are a framework to assess the benefits and impacts of all emerging mobility services and technologies in San Francisco. Table 1 summarizes the primary Guiding Principle as they relate to each application section evaluated by staff.

In addition, the SFMTA's review considered an applicant's experience in operating and maintaining shared mobility systems (Section J – Experience and Qualifications) to assess capacity to successfully operate a reliable powered scooter share system in San Francisco. Staff considered applicants' experience providing service in other cities, as stated in their applications, including the size and number of markets they serve, and particularly their capability to deliver service in comparably large, dense cities, and experience operating permitted systems of greater than 500 scooters. Staff also considered depth of experience, including average daily active fleet size in at least three and no more than ten dense, urban North American cities served, and whether applicants have successfully deployed a lock-to system in these markets. Finally, staff considered negative performance in the form of the five most recent, serious suspensions, penalties, citations, and/or warnings received from a local authority in any city in which the applicant has operated.

³ <https://www.sfmta.com/reports/item-13-principles-emerging-mobility-services-and-technology>



Table 1 – Emerging Mobility Guiding Principles with Relevant Application Section(s)

Guiding Principle	Relevant Application Section(s)
Safety	<ul style="list-style-type: none"> • Section A – Device Standards and Safety Assurances • Section F – Plan for Safe Scooter Riding and Parking (Safe Riding Measures and Safe Parking Measures subsections)
Disabled Access	<ul style="list-style-type: none"> • Section D – Operations Plan (Adaptive Scooter fleet requirement) • Section E – Complementary Adaptive Scooter Plan (optional) • Section F – Plan for Safe Scooter Riding and Parking
Equitable Access	<ul style="list-style-type: none"> • Section C – Pricing Structure • Section D – Operations Plan (Distribution Strategy and Equitable Operations subsections)
Collaboration	<ul style="list-style-type: none"> • Section I – Community Engagement Plan
Labor	<ul style="list-style-type: none"> • Section H – Hiring and Labor Plan
Sustainability	<ul style="list-style-type: none"> • Section G - Recharging, Maintenance, Cleaning, and Sustainability Plan
Accountability	<ul style="list-style-type: none"> • Section D – Operations Plan (Data Sharing subsection) • Section F – Plan for Safe Scooter Riding and Parking (Safe Riding Measures, Safe Parking Measures, and Accountability Measures subsections) • Section G - Recharging, Maintenance, Cleaning, and Sustainability Plan (Accountability subsection)

The application scoring process included two stages as set forth in the application. First, staff reviewed each application for initial determinations on responsiveness and acceptability in an Initial Screening process. Initial Screening was simply a pass/fail determination as to whether an application met all threshold requirements, including application completeness, compliance with format requirements, responsiveness to the material terms and conditions of the Permit Requirements, and demonstrated compliance with minimum qualifications. Applications were not given numeric scores during the Initial Screening process.

Applications that passed the Initial Screening process proceeded to scoring according to the Evaluation Scoresheet. Scored evaluation criteria primarily reflect questions from the Permit Application. Applicants were able to find more details on evaluation criteria in the accompanying Community Engagement Guidelines and Requirements, Data Reporting Guidelines and Requirements, Distribution Guidelines and Requirements, and Sustainability Guidelines and Requirements.



Staff applied scores using the following rubric. Applicants were required to receive an average score of 2 or greater for each of the nine sections (with the exception of the optional Complementary Adaptive Scooter Plan (Section E)) or were disqualified from further evaluation.

- "1" ratings were given to responses that include the least compelling solutions, demonstrating the minimum level of commitment and ability to solving known challenges and concerns and meeting the minimum requirements.
- "2" ratings were given to responses that include ordinary or typical, but unexceptional solutions, demonstrating a moderate level of commitment and ability to solving known challenges and concerns and exceeding the minimum requirements.
- "3" ratings were given to responses that include significantly more detailed approaches demonstrating a higher level of commitment and ability to solving known challenges and concerns, and substantially exceeding the minimum requirements.
- "4" ratings were given to responses that include robust, unique or innovative approaches demonstrating the highest level of commitment and ability to solving known challenges and concerns, and exceeding the minimum requirements to the highest degree.

Scored criteria were then summed and averaged for each section. The average score for each application section then was given the following weight:

- Section A – Device Standards and Safety Assurances (5%)
- Section C – Pricing Structure (10%)
- Section D – Operations Plan (10%)
- Section E – Complementary Adaptive Scooter Plan (optional, 5%)
- Section F – Plan for Safe Scooter Riding & Parking (25%)
- Section G – Recharging, Maintenance, Cleaning, and Sustainability Plan (10%)
- Section H – Hiring and Labor Plan (15%)
- Section I – Community Engagement Plan (10%)
- Section J – Experience and Qualifications (10%)

Overall application scores were then calculated based on these percentages.

The SFMTA thoroughly reviewed each application, documenting the degree to which proposals demonstrated the ability to meet or exceed each of the criteria outlined in the application and accompanying guidelines. The review was conducted by SFMTA staff assigned to the Powered Scooter Share Program by the director of the SFMTA's Taxis, Access & Mobility Services Division, and the SFMTA Director of Transportation. Multiple staff reviewed various sections of each application, and then scored responses based on the Evaluation Scoresheet published with the application. Prior to the conclusion of the scoring, information related to Scoot's compliance with



the 2019 permit terms and conditions came to light. Staff deferred completing the scoring of Scoot's application while it investigated these issues.

SCOOT'S APPLICATION

With regard to Scoot's application, the SFMTA received information, confirmed by Scoot, that Scoot had been using unauthorized subcontractors in violation of the terms and conditions of its 2019 permit under the Program. It received this information at a point in the application process that made it necessary to continue evaluation of the unaffected applications in order to issue permits prior to the expiration of the 2019 Program and to defer a decision on 2021 permit issuance to Scoot to investigate further. The deferral allowed staff to fully investigate these violations by requesting additional information from Scoot necessary to complete its evaluation. As a result of the violations, the SFMTA issued an administrative penalty in the amount of \$105,000, which Scoot paid. The SFMTA also reviewed all sections of Scoot's application with the new information in mind to complete the evaluation of the application. Scoot's final scores are discussed in this Directive.

PERMIT ISSUANCE DECISION

Based on review and consideration of all four applications, the SFMTA has decided to issue permits to Lime and Spin for a period of 12 months beginning July 1, 2021, and to Scoot for a pro-rated 12-month term beginning no later than August 20, 2021, with the option for permit renewal of up to an additional 12 months upon meeting certain criteria. Each permit will initially allow up to the same number of devices that they are currently allowed to operate under their respective permits – Lime and Spin's permits allow for 2,000 scooters, while Scoot's permit will allow for 1,500 scooters, with the potential for additional scooters at the SFMTA's discretion. The SFMTA will retain the maximum combined number of permitted scooters at the same level as for the 2019-2020 Powered Scooter Share Program, which is up to 10,000 scooters total. The number of permits and scooters is based on lessons learned from the Powered Scooter Share Program to date.

This final decision is based on the following factors:

1. The three selected permittees are the applicants best suited at this time to meet and exceed the requirements set by the SFMTA Board of Directors for this permit program.

While no application was flawless, as reflected in the scoring, the SFMTA finds that the applications of Lime, Scoot, and Spin, considered in total, clearly demonstrated their strong commitment and ability to perform in the categories set forth in the evaluation criteria. The SFMTA also finds that these three applicants best demonstrated their ability to provide reliable service in ways that the remaining applicant did not. These findings are reinforced by the fact that each applicant's scores were above 75 and were within one point of each other.

As reflected by the scoring, the applications from Lime, Scoot, and Spin met or exceeded the SFMTA's requirements across the full range of criteria including Safety, Disabled Access,



Equitable Access, Collaboration, Labor, Sustainability, Accountability, and Experience and Qualifications. Further, Lime, Scoot, and Spin demonstrated a high level of commitment to San Francisco's Guiding Principles for Emerging Mobility Services and Technologies, as well as a demonstrated ability to achieve them. In particular, their applications demonstrated the highest levels of commitment to collaboration among the applications received, offering robust plans for community outreach and engagement, and to sustainability.

2. Three permits for a total of 5,500 Scooters is adequate to meet current user demand. The decision that each permit will allow for the same number of scooters as permitted at the end of the 2019 permit program (2,000 for Lime and Spin, and 1,500 for Scoot) reflects the SFMTA's finding, separate and independent from the review of the individual applications, that allowing this number of scooters (5,500 total) will continue efforts to achieve an equitable and sustainable permit program while avoiding an overconcentration of scooters in the City.

The SFMTA has also determined that 2,000 scooters per operator for Lime and Spin, and 1,500 scooters for Scoot, is an appropriate fleet size to start with based on its experience during the current permit program. As of June 30, 2021, the total permitted fleet size in San Francisco was 5,500 – Lime and Spin were each permitted to operate 2,000 scooters, while Scoot was permitted to operate 1,500 scooters. However, the actual June 2021 deployment across the three permitted operators averaged only 3,400 devices, total trips were approximately 146,000, and the average trips per scooter per day during the same month was 1.5. This compares with the pre-pandemic period of February 2020, when scooter operators deployed an average of 3,190 devices and provided 214,000 trips, for an average of 2.3 trips per scooter per day. These data taken together suggest significant room for growth of user demand at current fleet sizes. Altogether, the SFMTA finds that continuing the program with an initial total fleet size of 5,500 devices will allow operators to continue to provide adequate levels of service across San Francisco, while allowing the opportunity for careful future expansion in a manner that serves the public interest.

Moreover, the SFMTA has found its equitable distribution requirements under the Distribution Guidelines and Requirements to be successful in achieving a relatively even distribution of scooters across the City. Issuing three permits will continue to mitigate the overconcentration of scooters within high-demand areas such as Downtown by requiring permittees to adequately serve the majority of the City, including outlying neighborhoods, with the allotted number of scooters. The distribution requirements also help to ensure geographic equity of the program by promoting distribution of scooters to neighborhoods that were not served under the Pilot or early in the 2019-2020 Permit Program, and continuing the program with 5,500 devices will allow permittees to meet the Percent Coverage metrics—particularly in Key Neighborhoods—as defined in the Distribution Guidelines and Requirements.

Additionally, limiting the number of permittees to three operators continues to address the SFMTA's concern about the risk of customer confusion with too many operators, which has the



potential to undermine the success of the program. Further monitoring and evaluation over time will be required to determine the correct number of permits and scooters as the program continues to evolve.

APPLICATION SCORING SUMMARY

The results of the application evaluation process are shown in the following Table 2. The selected applicants, which obtained the highest scores are indicated with green shading and bold text in the table: Lime, Spin and Scoot.

Each of these applications demonstrated the three operators' extensive experience operating powered scooter share services throughout the United States and internationally, including in San Francisco, which positions them well to deliver on their proposals to successfully operate a powered scooter share program in the City. These applications also generally featured robust Operations Plans, Plans for Safe Scooter Riding & Parking, Recharging, Maintenance, Cleaning, and Sustainability Plans, and Community Engagement Plans, as indicated in Table 2. Finally, each of these applicants has committed to deploying at least 5% of their fleets with devices considered "adaptive scooters" with a seat, basket, and/or three wheels, and to operating Complementary Adaptive Scooter programs to increase accessible options for people with disabilities.

The SFMTA finds that Helbiz's application did not meet or exceed the standards for operating a shared scooter program in San Francisco, as established by the Transportation Code, to the extent that the three selected permittees do. Helbiz not only failed to meet the minimum scoring requirements in three sections, but also submitted inferior proposals for each remaining section as compared to other applicants. This assessment is reflected in the scores.

Under the criteria described in the Application Evaluation Criteria section above, applicants who receive an average of less than 2 for any one section in the Evaluation Scorecard are not eligible to proceed in the evaluation. Helbiz received an average of less than 2 for three sections in the Evaluation Scorecard (Pricing Structure, Operations Plan, and Community Engagement Plan), and thus was not eligible to proceed. These sections are shown with red text and pink shading in Table 2.



Table 2 – Final Application Scores

Applicant	Section A. Device Standards & Safety Assurances	Section C. Pricing Structure	Section D. Operations Plan	Section E. Complementary Adaptive Scooter Plan (<i>optional</i>)	Section F. Plan for Safe Scooter Riding & Parking	Section G. Recharging, Maintenance, Cleaning and Sustainability Plan	Section H. Hiring and Labor Plan	Section I. Community Engagement Plan	Section J. Experience and Qualifications	Total Score
<i>Weight</i>	5%	10%	10%	5%	25%	10%	15%	10%	10%	<i>Out of 100</i>
Helbiz	2.0	1.8	1.9	0.0	2.0	2.4	2.3	1.6	2.2	48.0
Lime	3.5	3.2	3.1	2.6	2.7	3.3	3.3	3.4	3.8	78.8
Scoot	3.5	3.3	3.1	2.8	3.5	3.1	2.0	3.1	3.7	78.2
Spin	2.5	3.2	3.0	2.6	3.0	3.3	4.0	2.9	3.0	78.4



PERMIT PROGRAM AND NEXT STEPS

On July 1, 2021, the SFMTA issued two permits, including permit terms and conditions, to Lime and Spin. For reasons discussed in this Directive, the SFMTA will also issue a pro-rated 12-month permit to Scoot consistent with this Directive.

The SFMTA generally is not planning to consider additional scooter share permittees to operate during the permit period; however, the Director of Transportation reserves discretion on this issue. The SFMTA has determined that the main focus of the initial 12-month period will be monitoring permittees' performance, assessing the benefits and areas for improvement of the program itself, and evaluating whether requests to increase the overall number of scooters by permittees are warranted, if received. The SFMTA plans to include an option for the Agency to extend permits for an additional year at the discretion of the Director based on compliance with the Permit Terms and Conditions, as well as with certain metrics as determined by the SFMTA. The SFMTA will develop the specific criteria upon which the extension of the permit term will be granted within the first two quarters of the permit term.

The SFMTA will continue its installation of bike parking citywide to ensure that adequate parking is available both for privately-owned bicycles and shared micromobility options such as bikeshare and scooter share, and will consider overall bike parking supply tradeoffs in any decision for fleet size increase(s).

The Agency has crafted detailed and robust Distribution Guidelines and Requirements. Permittees must structure operations in accordance with these guidelines and requirements to offer comprehensive service such that powered scooters may be a safe and reliable travel option in San Francisco, including areas outside the downtown core. As the program emerges, the SFMTA will monitor performance metrics as detailed in the Data Reporting Guidelines and Requirements and continue to develop additional evaluation criteria and metrics as appropriate. The program's permit conditions require that each company provide data to the SFMTA sufficient for monitoring and evaluation of their performance.

The SFMTA will also continue to collect data regarding compliance with parking and riding rules as well as documenting public feedback about the program, which may result in policy recommendations for regulating scooter share programs going forward, including amendments to the Transportation Code if necessary.

The SFMTA may revoke a permit at any time based on documented non-compliance with the permit terms and conditions, including all associated guidelines documents. The procedures for permit revocation will be issued.

While the SFMTA Board of Directors voted in 2019 to make the Powered Scooter Share program permanent, further modifications to the Transportation Code or suspension of the program may be necessary if the public interest is not served. Given that the industry and operations continue



to evolve, if SFMTA's analysis of these critical metrics result in a finding where the scooter services do not complement the transportation system in a way that is aligned with SFMTA Strategic Goals and the Guiding Principles, it may be legitimate for the SFMTA to re-evaluate whether the program should continue after the permit period.

Any permit applicant denied a permit or granted a permit with modifications may appeal under procedures issued by the Director in accordance with Transportation Code § 916(e)(1). Applicants seeking review of a permit denial or grant of a permit with modifications will have 15 business days from the date that the notice is mailed to the applicant to request review of the decision by a hearing officer. The procedures for such review are available on the SFMTA's website at: <http://www.sfmta.com/scooters>.



REFERENCE DOCUMENTS

2018 Powered Scooter Share Pilot – Policy Directive

https://www.sfmta.com/sites/default/files/reports-and-documents/2019/08/scooter_policy_directive_08.28.2018.pdf

2019 Powered Scooter Share Mid-Pilot Policy Memorandum

https://www.sfmta.com/sites/default/files/reports-and-documents/2019/08/scooter_policy_directive_041519_signed.pdf

2019-2020 Powered Scooter Share Permit Program Policy Directive (Revised)

https://www.sfmta.com/sites/default/files/reports-and-documents/2019/08/scooter_policy_directive_041519_signed.pdf

April 2018 Amendments – Transportation Code Division I

<https://sfbos.org/sites/default/files/o0099-18.pdf>

May 2018 Amendments – Transportation Code Division II

https://www.sfmta.com/sites/default/files/reports-and-documents/2018/05/5-1-18_item_11_pilot_scooter_share_program_permit_resolution.docx_.pdf

June 2018 Amendments – Transportation Code Division II

https://www.sfmta.com/sites/default/files/reports-and-documents/2018/06/6-19-18_item_10.3_pilot_scooter_share_program_permit_-_transportation_code_amendment_resolution.pdf

July 2019 Amendments - Transportation Code Division II

<https://www.sfmta.com/reports/7-16-19-mtab-item-13-powered-scooter-share-transportation-code-amendment>

October 2019 Amendments – Transportation Code Division II Section 916

https://www.sfmta.com/sites/default/files/reports-and-documents/2019/10/10-15-19_item_10.4_tc_amendment_-_definition_of_scooter_resolution.docx_.pdf

August 2020 Amendments – Transportation Code Division II Section 916

https://www.sfmta.com/sites/default/files/reports-and-documents/2020/08/8-18-20_item_10.3_approval_-_scooter_share_transportation_code_amendments_resolution.docx_.pdf

January 2021 Amendments – Transportation Code Division II

https://www.sfmta.com/sites/default/files/reports-and-documents/2021/01/1-19-21_item_10.1_powered_scooter_share_-_transportation_code_amendment_resolution.docx_.pdf