

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 240220-014

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) has engaged a consultant to evaluate the current Powered Scooter Share Permit Program; and,

WHEREAS, Past scooter program evaluations found that the program aligned with SFMTA Strategic Goals and the San Francisco Transit First Policy; and,

WHEREAS, One key aspect of the Program that staff has identified to need programmatic updates is the Adaptive Program; and,

WHEREAS, Permittees have informed staff that the adaptive scooters, which are modified versions of the current deployed scooters, are frequently stolen or vandalized, which has led to a lack of on-street adaptive devices available on city streets; and,

WHEREAS, While the complementary program has received praise during outreach, the program is not well known, and permittees can be slow to respond to scheduled requests for check-out; and,

WHEREAS, Based on feedback from the disability community, staff is proposing to expand the definition of Powered Scooter to allow the operation of purpose-built seated devices in the Program; and,

WHEREAS, Staff has determined that the definition of Powered Scooter should be amended to include devices that have a seat and footrests in place of the floorboard, to better meet the needs of a broader range of riders; and,

WHEREAS, The California Environmental Quality Act (CEQA) applies to “projects” that have the potential for resulting in either a direct physical change in the environment, or a reasonable, foreseeable indirect change in the environment; and,

WHEREAS, On January 29, 2024, the SFMTA, under authority delegated by the Planning Department, determined that the proposed Transportation Code legislation is not defined as a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and is incorporated herein by reference; and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency adopts legislation to amend Transportation Code, Division II, Section 901 to expand the definition of Powered Scooter to allow devices that have a seat and footrests in place of the floorboard, to better meet the needs of a broader range of riders.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of February 20, 2024.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code – Powered Scooter Definition]

Resolution amending the Transportation Code to revise the definition of a Powered Scooter to allow for powered scooters that have a seat and footrests in place of the floorboard.

NOTE: Additions are single-underline Times New Roman;
deletions are ~~strike-through Times New Roman~~.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 900 of Division II of the Transportation Code is hereby amended by revising Section 901, to read as follows:

SECTION 901. DEFINITIONS.

As used in this Article 900, the following words and phrases shall have the following meanings:

* * * *

Powered Scooter. Any device that has two or more wheels, has handlebars, ~~has and is~~ configured with either a floorboard that is designed to be stood upon when riding , a driver seat that does not interfere with the ability of the rider to stand and ride, or a seat and footrests in place of the floorboard, and is powered by an electric motor or other power source. This device may also ~~have a driver seat that does not interfere with the ability of the rider to stand and ride and may also~~ be designed to be powered by human propulsion. A motorcycle, as defined in Section 400 of the California Vehicle Code, a motor-driven cycle, as defined in Section 405 of the California

Vehicle Code, or a motorized bicycle or moped, as defined in Section 406 of the California Vehicle Code, is not a Powered Scooter.

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Section 2. Effective Date. This resolution shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this resolution.


Section 3. Scope of Resolution. In enacting this resolution, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this resolution as additions or deletions in accordance with the "Note" that appears under the official title of the resolution.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: Stephanie Stuart
STEPHANIE STUART
Deputy City Attorney

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