

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 190716-098

WHEREAS, In May 2018, the SFMTA Board of Directors approved changes to the Transportation Code, Division II, to establish the Powered Scooter Share Pilot Program (Pilot); and,

WHEREAS, The SFMTA reviewed 12 applications and granted two 12-month permits to the strongest applicants effective October 15, 2018-October 14, 2019; SFMTA staff released a Mid-Pilot Evaluation in April 2019 to the Board of Directors summarizing key findings including that the Pilot yielded notable public benefits as a useful component of San Francisco's transportation system; and,

WHEREAS, The proposed Transportation Code revisions amend the Transportation Code, Division II, to modify existing Powered Scooter Share Permit Program requirements to, among other things, remove the limitations of the pilot program, authorize the Director to determine the appropriate number of permitted scooters and permittees, require that powered scooters have integrated lock-to devices, revise distribution and rebalancing requirements, update data sharing terms, adjust the permit fee schedule and endowment fund amounts, revise the fine structure for parking violations as between permittees and non-permittees, require a more robust community engagement process, and require that applicants provide sample scooters for inspection and evaluation by the SFMTA; and,

WHEREAS, The proposed changes to the Transportation Code will allow the permit program to utilize lessons learned from the Powered Scooter Share Pilot Program and the Stationless Bikeshare Permit Program to create a more useful, safe, sustainable, equitable, and accountable citywide Powered Scooter Share program; and,

WHEREAS, Upon approval of this legislation, SFMTA staff plan to implement a revised permit process and solicit and evaluate applications in order to allow the Director of Transportation to issue new permits no later than October 15, 2019 for a one year period; and,

WHEREAS, Since the existing permit fee does not adequately reflect the cost of staff time to review applications and implement the Program, SFMTA staff propose modifying the existing permit fee schedule to better reflect staff time including both the permit fee application and annual/renewal permit fee; and,

WHEREAS, San Francisco Charter Section 16.112 requires that published notice be given and a public hearing be held before any fee or any schedule of rates, charges or fares which affects the public is instituted or changed; and,

WHEREAS, Pursuant to Charter Section 16.112 and the SFMTA Board of Directors' Rules of Order, published notice was placed in the City's official newspaper to provide notice that the Board of Directors will hold a public hearing on July 16, 2019, to consider revising the permit fees for the Stationless Bicycle Share Permit Program, and the advertisement ran in the San Francisco Examiner for a five-day period beginning on July 3, 2019; 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 June 21, 2019, 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 Board of Directors amends the Transportation Code, Division II, to modify existing Powered Scooter Share Permit Program requirements to, among other things, remove the limitations of the pilot program, authorize the Director to determine the appropriate number of permitted scooters and permittees, require that powered scooters have integrated lock-to devices, revise distribution and rebalancing requirements, update data sharing terms, adjust the permit fee schedule and endowment fund amounts, revise the fine structure for parking violations as between permittees and non-permittees, require a more robust community engagement process, and require that applicants provide sample scooters for inspection and evaluation by the SFMTA.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 16, 2019.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code - Powered Scooter Share Program]

Resolution amending the Transportation Code to, among other things, revise fine amounts, permit fees and permit requirements, including terms and conditions, for the Powered Scooter Share Permit Program.

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 300 of Division II of the Transportation Code is hereby amended by revising Section 302, to read as follows:

SEC. 302. TRANSPORTATION CODE PENALTY SCHEDULE.

Violation of any of the following subsections of the Transportation Code shall be punishable by the fines set forth below.

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018**	FINE AMOUNT Effective July 1, 2019**
* * * *			
SHARED MOBILITY SERVICES VIOLATIONS			
* * * *			
Div I 7.2.111	Powered Scooter Share Parking <u>(Powered Scooter Share Operators That Do Not Hold A SFMTA Permit)</u>		

	First offense	\$100	\$100
	Second offense within one year of first offense	\$200	\$200
	Third or subsequent offense within one year of first offense	\$500	\$500
<u>Div I 7.2.111</u>	<u>Powered Scooter Share Parking</u> <u>(Powered Scooter Share Operators That Hold a SFMTA Permit)</u>		<u>\$100</u>

Section 2. Article 900 of Division II of the Transportation Code is hereby amended by revising Sections 901, 902, and 916, to read as follows:

SEC. 901 DEFINITIONS.

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

* * * *

Permittee. Unless otherwise defined herein with respect to a particular type of permit under this Article 900, the natural person, sole proprietorship, partnership, association, corporation, or governmental or non-profit agency that is the named holder of a permit issued pursuant to this Article 900, and such person or entity's successors or assigns in interest, subject to the approval provisions in Sections 909 and 916. Only a natural person is eligible for a Residential Parking Permit.

* * * *

SEC. 902. GENERAL PERMIT CONDITIONS.

The following general provisions apply to all permits issued under this Article 900.

* * * *

	FY 2019 Effective July 1, 2018	FY 2020 Effective July 1, 2019
Special Traffic Permit (§ 903)		
Base Permit Fee:	\$322	\$333
Daily Fee:	\$66	\$68
Late Fee:	\$361	\$374
Temporary Exclusive Use of Parking Meters (§ 904)		
Base Permit Fee: per 25 linear feet of construction frontage per day, including weekends and holidays:	\$11	\$12
Residential Area Parking Permit (§ 905)		
Motorcycle (Annual)	\$102	\$108
Motorcycle (Less than 6 months)	\$51	\$54
Resident/Business/School/Fire Station/Foreign Consulate/Medical & Childcare Provider Base Permit Fee:		
(1 year):	\$136	\$144
(Less than 6 months):	\$67	\$71
Permit Transfer:	\$23	\$24
1-Day Flex Permit (purchased within one calendar year):		
1-5 permits	\$6 each permit	\$6 each permit
6-15 permits	\$8 each permit	\$8 each permit
16-20 permits	\$12 each permit	\$13 each permit
Short-Term Permits		
2 weeks:	\$48	\$51
4 weeks:	\$69	\$73
6 weeks:	\$89	\$94
8 weeks:	\$116	\$123
Contractor Permit (§ 906)		
Base Permit Fee		
Annual/Renewal:	\$1,602	\$1,732
Less than 6 Months:	\$822	\$887
Permit Transfer Fee:	\$42	\$42
Vanpool Permit (§ 907)		
Base Permit Fee		
(per year):	\$136	\$144
(Less than 6 months):	\$67	\$71
Stationless Bicycle Share Program Permit (§ 909)		
Permit Application Fee	\$4,947	\$5,132
Annual/Renewal Fee	\$35,288	\$36,613
SFMTA Permit (§ 910)		
(Based on the annualized Parking Meter Use Fee)	\$2,860	\$3,120
On-Street Shared Vehicle Parking Permit (§ 911)		
Zone 1	\$300 per month	\$330 per month
Zone 2	\$212 per month	\$233 per month
Zone 3	\$59 per month	\$65 per month
On-Street Shared Electric Moped Parking Permit (§ 915)		
(1 Year)	\$352	\$366
(Less than 6 months):	175 ¹	\$182
Vehicle Press Permit (§ 912)		
Base Permit Fee: The permit fee shall only be increased pursuant to the Automatic Indexing Implementation Plan approved by the SFMTA Board of Directors.	\$64	\$67

Designated Shuttle Stop Use Permit (§ 914)	\$7.65	\$7.75
Farmer's Market Parking Permit (§ 801(c)(17))		
Base Permit Fee (quarterly):	\$211	\$224
Temporary Street Closures Permits (Division I, Article 6)		
Neighborhood Block Party		
More than 120 days in advance:	\$99	\$99
90-120 days in advance:	\$200	\$200
60-89 days in advance:	\$300	\$325
30-59 days in advance:	\$425	\$450
Fewer than 30 days in advance:	\$850	\$875
All Other Events		
More than 120 days in advance:	\$661	\$600
90-120 days in advance:	\$821	\$850
60-89 days in advance:	\$1,030	\$1,100
30-59 days in advance:	\$1,248	\$1,350
Fewer than 30 days in advance:	\$1,462	\$1,575
Fewer than 7 days in advance:	\$1,682	\$2,500
Bus Substitution Fee (Division I, Article 6.2(f))	\$35	\$36.50
Powered Scooter Share Program Permit (§916)		
Powered Scooter Share Program <u>Annual/Renewal</u> Permit	\$25,000	\$36,613 \$25,000
Powered Scooter Share Program Permit Application Fee	\$5,000	\$5,132 \$5,000

SEC. 916. POWERED SCOOTER SHARE ~~PILOT~~ PROGRAM.

(a) General Permit Program Requirements.

(1) The Director of Transportation is authorized to implement a ~~pilot~~ program for the issuance of Powered Scooter Share Permits. ~~commencing on a date designated by the Director. The duration of the pilot program shall not exceed 12 months from the date of commencement.~~ The SFMTA shall implement this program consistent with the agency's "Guiding Principles for Emerging Mobility Services and Technologies" as may be amended from time to time.

(2) The Director of Transportation has the authority in the Director's discretion to grant revocable ~~may issue~~ Powered Scooter Share Permits for operation in the public right-of-way under the jurisdiction of the SFMTA or the Department of Public Works ("Public Works") in the City upon receipt and evaluation of applications from Powered Scooter Share Operators on a form prescribed by the SFMTA which ~~applications~~ meets the requirements of this Section 916. ~~Each applicant shall pay a nonrefundable permit~~

~~application fee. The Director of Transportation shall determine the maximum number of Powered Scooters authorized under the Powered Scooter Share Permit Program and shall determine the appropriate number of permittees. The maximum number of Powered Scooters authorized under the Powered Scooter Share Permit Program shall be a total of 1250 during the first six months of the pilot program, and a total of 2500 during the remainder of the pilot program. In no event shall SFMTA issue more than five Powered Scooter Share Permits under the pilot program. Each permit shall be valid for up to one year, but in no event longer than the ending date of the pilot program. A permittee whose permit is revoked shall not be eligible to reapply for a permit for six months from the date of revocation.~~

(3) The Director of Transportation may determine criteria for evaluation of permit applications. In evaluating a permit application, the Director of Transportation may consider, among other factors, consideration of the extent to which an operator has the capacity to meet the permit terms based on past experience operating mobility programs, including, but not limited to, the operator's compliance with applicable laws and its efforts to ensure compliance by its users with applicable laws.

~~(3) — Definition of Permittee. "Permittee" shall mean the natural person, sole proprietorship, partnership, association, corporation, governmental or non-profit agency that is the named holder of a permit issued under this Section 916.~~

(b) **Permit Required.** No Powered Scooter that is part of a Powered Scooter Share Program may be parked, left standing, or left unattended on any sidewalk, Street, or public right-of-way under the jurisdiction of the SFMTA or ~~the Department of Public Works (Public Works)~~ without the Powered Scooter Share Operator first obtaining a permit under this Section 916.

(c) **Director's Authority to Issue/Impose Powered Scooter Share Program Permits Conditions.** ~~The Director of Transportation has the authority at his or her sole discretion to grant a revocable permit to the Powered Scooter Share Operator of a Powered Scooter Share Program for operation in the public right of way under the jurisdiction of the~~
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~~SFMTA or Public Works in the City.~~ The Director of Transportation may impose permit conditions, including but not limited to, those conditions related to the location, placement, parking, securing, safe operation, or maintenance of any Powered Scooter that is part of a Powered Scooter Share Program, as well as conditions that the Director determines are necessary to protect the public convenience and safety ~~concerning transfer of permits, grounds for permit revocation, indemnification requirements, protection of personal, financial and travel information of users, and the maintenance of insurance in a form and amount satisfactory to the City.~~

(d) **General Permit Requirements ~~and Criteria~~ for Powered Scooter Share Program Permits.**

~~(1) — The Director of Transportation may issue a permit to a Powered Scooter Share Operator upon receipt of a written application from a qualified permit applicant on a form prescribed by the SFMTA.~~

~~(1)-(2)~~ The name and current contact information for the Powered Scooter Share Operator, as well as a unique number identifying the scooter, shall be prominently displayed on each scooter that is part of a Powered Scooter Share Program.

~~(2)-(3)~~ The Director of Transportation reserves the right to revoke a Powered Scooter Share Program Permit for cause at any time upon written notice of revocation as set forth in subsection (f) of this Section 916. The Permittee Powered Scooter Share Program Operator shall surrender such permit in accordance with the instructions in the notice of revocation.

~~(3)-(4)~~ A permit fee must be paid by the permit applicant before any permit may be issued or renewed. In addition, an applicant 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.

~~(4)-(5)~~ Upon notification by the City of any Powered Scooter belonging to a Powered Scooter Share Program 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 without a permit, the Powered Scooter Share Operator shall, in addition to paying any applicable fines or penalties, remove the scooter within ~~one~~ two hours.

~~(5)-(6)~~ To be eligible and qualified to obtain a Powered Scooter Share Program Permit, a Powered Scooter Share Program Operator shall agree to permit applicant must demonstrate compliance with, or must agree to, as applicable, the following requirements, ~~to the SFMTA's satisfaction~~:

(A) Provide Powered Scooters of high quality, that are sturdily built and with tamper-resistant hardware to accommodate a range of users, comply with California Vehicle Code requirements, will withstand the rigors of outdoor storage and constant use, have integrated lock-to capabilities, and adhere to standard certifications as determined by the SFMTA; and make available two sample scooters for inspection and evaluation by the SFMTA.

(B) Ensure that Powered Scooters are only 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, and that are clearly and understandably communicated to the customer prior to scooter use.

~~(A) — Each Powered Scooter shall be capable of providing real-time location data to the SFMTA in accordance with the specifications issued by the Director of Transportation.~~

(C) Equip each Powered Scooter with an on-board GPS device capable of providing real-time location data to the SFMTA in accordance with the specifications issued by the Director of Transportation, maintain a continuous feed of the required data at all times for scooters made available to customers, and maintain aggregated data as the SFMTA deems necessary. Powered Scooter Share Program Operator shall provide such data to the SFMTA as directed.

~~(D)-(B)~~ Provide a Adequate insurance as determined by the City's Risk Manager, which lists the City and County of San Francisco as an additional insured, ~~must be~~ and which covers provided for each Powered Scooter ridden, parked, or left standing or unattended on any sidewalk, Street, or public right-of-way under the jurisdiction of the SFMTA or Public Works, and ~~for~~ each user using the Powered Scooter during the period of use. Further, tThe Permittee must indemnify and hold the City and County of San Francisco, its departments, commissions, boards, officers, employees, and agents (collectively, "Indemnitees") harmless from and against any and all claims, demands, actions, or causes of action that may be made against the Indemnitees for the recovery of damages for the injury to or death of any person or persons or for the damage to any property resulting directly or indirectly from the activity authorized by the permit, regardless of the negligence of the Indemnitees.

~~(E)-(C)~~ Powered Scooter Share Operators shall pPay the SFMTA a public property repair and maintenance endowment totaling ~~\$10,000,~~ \$25,000, payable in installments as described herein, ~~payable at the time of permit issuance,~~ to ensure adequate funds are available to reimburse the City for future 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 shall be paid in annual installments of \$2,500 per year for ten consecutive years, with the first payment due at the time of permit issuance.

~~(F)-(D)~~ Reimburse the SFMTA within 30 days for costs if the SFMTA, Public Works, or any other City agency, department, or commission, including the City Attorney's Office, incurs any such costs of addressing or abating any violations of this Section 916, including repair or maintenance of public property, upon receiving written notice of such City costs, ~~the Powered Scooter Share Operator shall reimburse the SFMTA for~~

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~~such costs within 30 days.~~ The SFMTA shall arrange for transfer of funds to any other City agency, department, or commission that incurred costs described above. The Powered Scooter Share Operator's payment under this subsection ~~(d)(5)(F)~~ ~~(d)(6)(D)~~ shall not substitute for any installment payment otherwise owed or to be paid to the SFMTA.

(G) Develop a targeted community outreach plan which complies with SFMTA's Community Engagement Plan Requirements, as amended from time to time, which shall include a strategy to partner with advocacy and community benefit organizations, a culturally relevant and multilingual communications plan, and an equitable Powered Scooter share implementation plan, to promote the use of their Powered Scooter sharing system citywide among low-income communities, and to implement the plan at its own cost. The Powered Scooter Share Program Operator shall keep a record of any public feedback received in a format and manner as determined by the SFMTA.

~~(H)(E) The SFMTA encourages City Powered Scooter Share Operators to make Powered Scooters available to users in census tracts designated as "communities of concern" by the Metropolitan Transportation Commission. Each Powered Scooter Share Program Operator shall~~ Provide distribution of Powered Scooters available to customers consistent with the SFMTA's distribution guidelines, including identification of service areas, minimum distribution thresholds, and availability requirements in specific neighborhoods classified as Communities of Concern by the Metropolitan Transportation Commission to meet equity goals. Provide a proposed service area, which meets the SFMTA's distribution guidelines, for approval by the SFMTA and furnish an accurate map of the agreed-upon area to the SFMTA.

~~(I)(F)~~ Submit a maintenance, operations, cleaning, disposal, and repair plan for the Powered Scooters subject to approval by the SFMTA and Public Works.

~~(J)(G)~~ Submit a low-income user plan that waives any applicable scooter deposit and offers a minimum 50% discount off rental fees or unlimited trips under 30
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minutes, and a cash payment option, an affordable and discounted cash payment option to any user with an income level at or below 200% of the federal poverty guidelines.

~~(K)(H)~~ Provide a multilingual website with languages determined by the SFMTA, 311-call center, and mobile application customer interface, that is available 24 hours a day, seven days a week. As part of the call center, the Powered Scooter Share Program Operator must provide a telephone number for customers and members of the public to report any concerns or complaints, which the Powered Scooter Share Program Operator must track. The website and mobile application shall also meet the requirements of Section 508 of the Rehabilitation Act and Section 255 of the Communications Act that apply to information and communication technology. The Powered Scooter Share Program Operator shall keep a record of any feedback received through the processes described herein in a format and manner as determined by the SFMTA.

~~(L)(F)~~ Submit a Privacy Policy consistent with guidelines issued by the Director of Transportation that safeguards users' personal, financial, and travel information and usage including, but not limited to, trip origination and destination data.

~~(M)(J)~~ Submit aggregate user demographic data that does not identify individual users, payment methods, or their individual trip history, gathered by the system application or through a City-administered survey, to the SFMTA periodically, and on no less than on an annual basis, on at least a monthly basis using anonymized keys.

~~(N)(K)~~ Provide 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.

~~(O)(L)~~ Each Powered Scooter Share Program Operator shall use best efforts to ensure that its users comply with all applicable laws. Consistent failure by the users associated with a specific Operator to comply with applicable laws shall be grounds for permit suspension or revocation. At a minimum, each Powered Scooter

Share Program Operator shall provide to the user a summary of State and local laws governing the use of Powered Scooters, including but not limited to, informing the user of applicable requirements for licensing, helmets, travel on highways, parking, and use of sidewalks, as specified by the Director of Transportation. The user shall be required to acknowledge having read these requirements. The Powered Scooter Share Program Operator also shall comply with safety and parking requirements, including but not limited to, the following:

(1) A plan for educating users on proper scooter parking must be provided by the Powered Scooter Share Program Operator. A Powered Scooter Share Program Operator also shall pay a fee to SFMTA to cover the cost of SFMTA's installation of bicycle racks to insure adequate scooter parking; and

(2) Report on collisions as directed by the SFMTA. In addition, during each calendar year of business operations, the Powered Scooter Share Program Operator shall offer to its customers not less than one safety training class every quarter.

(P) (M) Each Permittee shall comply with, and shall ensure that their employees and contractors comply with, applicable laws, including but not limited to, the provisions of this Section 916, and other applicable provisions of this Transportation Code, the Charter, and the remainder of the Municipal Code, the California Vehicle Code, California worker's compensation laws, and the Americans with Disabilities Act.

(Q) No permit may be transferred without the prior written approval of the Director of Transportation. Permittees shall promptly notify SFMTA of any changes to their corporate structure or ownership. Failure to do so shall be cause for revocation of the permit. For purposes of this paragraph, "transfer" includes the sale or other exchange of 50% or more of the ownership or control of a permittee to a third party.

(R) Sustainability.

(1) Comply with the City's Zero Waste Policy, as amended from time to time, with regard to disposal of scooters and scooter parts; and

(2) Document and report to the SFMTA new non-revenue vehicle miles traveled (VMT), and number and length of trips generated by collecting, redistributing, and charging activities, in a format prescribed by the Director of Transportation.

(S) Provide a labor harmony plan. Labor harmony is critical for the provision of scooter services in the context of safety and maintenance, as well as equitable geographic device distribution. The Powered Scooter Share Program Operator shall include a description of the means by which the operator has considered labor and labor harmony in its operations specifically as it relates to consistent distribution, operation, and maintenance, including steps taken to avoid potential disruptions. The Powered Scooter Share Program Operator shall provide in its plan any agreements or documents evidencing such steps, as well as information regarding employee work hours, working conditions, and wages.

(e) Powered Scooter Share Program Permit Issuance.

(1) After evaluating an applicant's permit application, the Director of Transportation shall either grant the Permit as requested, grant the Permit with modifications, or deny the Permit. Where the Permit is granted with modifications or denied, the notice shall explain the basis for the Director of Transportation's decision. An applicant may request review ~~by a hearing officer~~ of the Director of Transportation's decision to deny a permit or grant a permit with modifications. Review of the Director's decisions will be conducted under the substantial evidence standard. The Director shall issue procedures governing review of these decisions by a neutral third party.

(2) Notwithstanding any other requirement, the Director of Transportation has the authority to deny a permit based on the extent ~~that~~ to which issuing a permit would lead to an over-concentration of shared Powered Scooters in the public right-of-way, cause an imbalance in the geographical distribution of scooters that are part of the Powered Scooter Share Program, or otherwise not be in the public interest.

~~(3) In evaluating a permit application, the Director of Transportation may consider the extent to which an operator has the capacity to meet the permit terms based on past experience, including compliance with applicable laws and its efforts to ensure compliance by its users with applicable laws.~~

(f) **Permit Revocation.**

(1) For good cause, the Director of Transportation may revoke any permit issued under this Section 916. "Good cause" hereunder shall include, but shall not be limited to, the following:

(A) A Permittee failed to pay a fine imposed by the SFMTA under Section 302 of this Code within 30 days of the date due under this Section 916;

(B) A Permittee failed to pay a permit fee within 30 days following notice of nonpayment;

(C) The Permittee has violated any statute or ordinance, including any provision of Division I or II of this Transportation Code, governing the operation of Powered Scooters regulated by this Code; or

(D) The Permittee has violated one or more conditions of the permit.

(2) A Permittee may request review ~~by a hearing officer~~ of the Director of Transportation's decision to revoke a permit. The Director shall issue procedures governing review of these decisions by a neutral third party.* * * *Section 3. Effective Date. This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance.

Section 4. The amendments to Sections 302 and 902 of the Transportation Code made by Sections 1 and 2 of this ordinance are intended to be additive to the revisions to those sections made by the SFMTA Board of Directors in approving Resolution No. 180403-057 approving the 2018-2020 budget.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of the ordinance. The SFMTA Board of Directors hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this ordinance or application thereof would be subsequently declared invalid or unconstitutional.

Section 6. Scope of Ordinance. In enacting this ordinance, 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 ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
JULIE VEIT
Deputy City Attorney

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I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 16, 2019.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

