

Powered Scooter Share Permit Program

Fleet Expansion and Optional Permit Term Extension Guidance



TO: Powered Scooter Share Program Staff and Interested Parties

FROM: Kate Toran, Director of Taxis, Access & Mobility Services Division *Kate Toran*

THROUGH: Jeffrey Tumlin, Director of Transportation *J. Tumlin*

DATE: December 29, 2021

SUBJECT: 2021-2022 Powered Scooter Share Permit Program Fleet Expansion and Optional Permit Term Extension Guidance

This memorandum directs SFMTA Scooter Share Program staff regarding how to evaluate the criteria enumerated below when considering a request for scooter fleet expansion and the option to extend permits for powered scooter share operations in San Francisco and does not supplant the criteria in Appendix 5 of the 2021-2022 Powered Scooter Share Program Permit Terms and Conditions. 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.

Specific metrics and standards required for both scooter fleet expansion and permit term extension are detailed in Appendix 5 of the 2021-2022 Powered Scooter Share Program Permit Terms and Conditions. This memo is intended to provide additional guidance to permittees regarding the SFMTA's specific criteria upon which a fleet expansion and one-year optional extension of the permit term will be granted and highlight the importance of rider accountability and safety.

Throughout the permit period, the SFMTA monitors and evaluates the impact of scooter share 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 evaluates compliance with plans and proposals submitted in the permittees' applications, which are incorporated into each permit by reference. Given the SFMTA's ongoing concern about scooter share safety, rider accountability and improper riding, this additional guidance regarding qualifications for fleet expansion and permit term extension focuses on the plans for safe scooter riding and parking, which include solutions to limit speeds and establish escalating penalty structures that each permittee committed to in their respective application.

Additionally, this policy directive is intended to align with the San Francisco Board of Supervisors' [Resolution 211208](#), urging the SFMTA to "implement measures to significantly expand compliance with existing public health and safety conditions pertaining to safe and accessible parking methods and prohibition on the riding of bicycles and scooters on sidewalks."

PLAN FOR SAFE SCOOTER RIDING & PARKING

The SFMTA takes compliance with laws and regulations seriously, including those related to sidewalk riding and safe parking. Scooter sidewalk riding is illegal pursuant to the California Vehicle Code Section

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§21235(g) and poses significant risk to pedestrian and scooter rider safety. Scooter sidewalk riding deteriorates pedestrian environment and disabled accessibility.

The SFMTA required each permittee to provide a plan as part of their application, to ensure user compliance with laws and regulations, including safe riding measures, speed limits and safe parking measures. The SFMTA is particularly concerned with deterring improper riding through the implementation of promised sidewalk riding detection technology and each permittee's rider accountability and compliance measures, particularly the escalating penalty structure that each permittee committed to implement to hold riders accountable for repeated improper, unsafe and/or illegal parking or riding behavior that is observed by or reported to the permittee.

The SFMTA will monitor commitments made in each permittee's submitted Safe Scooter Riding & Parking plan, which includes safe riding measures, safe parking measures, and rider accountability measures. Permittees must adhere to the commitments made in their plan, to the Agency's satisfaction, prior to the SFMTA granting a fleet size increase or permit term extension.

Additionally, in line with the Board of Supervisors' [resolution 211208](#), which urges permittees "to promptly install and otherwise implement sidewalk detection technology designed to prevent illegal riding on sidewalks," the SFMTA encourages each permittee to implement sidewalk riding technology best practices that may exceed the commitments promised in each permittee's Safe Scooter Riding & Parking plan submitted in their application.

On December 1, 2021, each scooter share permittee demonstrated their sidewalk riding detection technology to SFMTA and other City representatives. The technology enables the device to detect sidewalk riding in real time. Once detected, the scooter automatically slows the rider to a safer speed. SFMTA staff believe that sidewalk riding technology has a strong potential to curb usage scooter riding in San Francisco and may be the most effective way to reduce scooter share sidewalk riding in the City.

Based on the sidewalk riding detection technology demonstration, staff identified the following best practices:

1. Audible message to riders when the scooter detects the rider has mounted the sidewalk. The scooter should give an audible message such as "No Sidewalk Riding". Permittees should consider including this message in Spanish, Cantonese, or other commonly spoken languages in San Francisco. An audible message is preferable to a beep or other non-language sound.
2. The scooter should slow quickly after mounting the sidewalk and decelerate quickly and safely for the scooter rider.
3. Sidewalk speeds should be limited to 4-5 miles per hour on the sidewalk, which, coupled with the audible message should make it clear to riders that sidewalk riding is not allowable.
4. Audible non-verbal sounds in the bike lane to alert other bike lane users of an approaching scooter.
5. Technology that most reduces false positives for sidewalk riding detection is preferable to not affect other roadway/bikeway users that could cause additional safety concerns.

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6. Technology that locates where sidewalk riding is occurring so that additional targeted strategies to reduce sidewalk riding can be implemented by permittees or by the SFMTA and other City agencies.
7. Advanced GPS technology and camera detection both showed promise as underlying technologies for sidewalk detection. The demonstration indicated that machine learning with an accelerometer is not as effective as a technology.

Because the sidewalk riding detection technology is still fairly new, SFMTA did not require a specific solution in the most recent application process, but instead required the applicant to propose a solution. As the technology matures and is implemented, SFMTA will strongly consider establishing standard sidewalk detection technology as a requirement in future permits. Until that time, permittees must comply with the specific commitments they made in their applications, and SFMTA encourages scooter share permittees to implement the above-detailed sidewalk detection technology best practices.

RESPONSE TIME

Appendix 5 of the 2021-2022 Powered Scooter Share Program Permit Terms and Conditions states:

Response Time

The SFMTA will monitor compliance with response time requirements enumerated in #32 and #34 of the permit terms and conditions. Permittees must respond within 2 hours of receiving a notice 95% of the time and within 1 hour 50% of the time for 25 out of any 30 consecutive-day period, in order to be considered eligible for fleet expansion or permit term extension.

Permit terms and conditions #32 and #34 require that improperly parked scooters and devices that have been requested to be moved by the City shall be re-parked in a correct manner or removed by the permittee within 2 hours. In order to track compliance with the response time requirement, the SFMTA established electronic tracking system to provide an efficient reporting mechanism. Additionally, the SFMTA has developed and posted response time [public-facing dashboards](#). Unfortunately, there has been uneven compliance with proper reporting of response time compliance from permittees, therefore, the SFMTA is now specifically requiring that each permittee report response times through the "Operator Action Taken" tool. Each Permittee must report "Operator Action Taken" in a timely basis upon notification by the City of potential violations or complaints regarding specific devices, and no later than 48 hours after notification, notwithstanding circumstances beyond the control of the permittees. Reporting includes the submission of proper photographic proof of such action taken, if applicable. SFMTA uses the data generated through the "Operator Action Taken" system to measure the average response time and compliance with the 2-hour required response time metric.

Intentional submission of completed Operator Action Taken forms when no action occurred will be considered as part of a permittee's fleet expansion or permit extension request.

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CITATIONS PER DEVICE (Criteria for Permit Term Extension Only)

Appendix 5 of the 2021-2022 Powered Scooter Share Program Permit Terms and Conditions states:

Permittee must have fewer than 0.5 citations⁶ per On-Street Device for quarters 2 and 3 of the permit term in order to be considered eligible for permit term extension. To calculate this metric, the SFMTA will consider total citations issued over the quarter and divide it by the average daily 8am count of On-Street devices for all days in the quarter. The average daily 8am count of On-Street Devices will utilize the Methodology for Calculating Scooters described above.

This metric will continue to remain in effect for any permit term extension. In addition, the SFMTA has determined that scooter permittees may also satisfy the intent of this metric by either complying with the requirement of having less than 0.5 citations per 1,000 On-Street devices **or by** having *less than 10 citations per 1,000 trips during quarter 3 of the permit term*. Permittees will only be required to meet one of these requirements to qualify for consideration of a permit extension.

ADAPTIVE SCOOTER PROGRAM

The adaptive devices in a permittee's on-street fleet shall comply with each permittee's Plan for Safe Scooter Riding and Parking, including the sidewalk riding detection technology prior to the SFMTA granting a fleet size expansion or permit term extension.

Additionally, the SFMTA may approve additional adaptive devices for a permittee's on-street fleet and/or Complementary Adaptive Program. When considering requests to add adaptive devices to a permittee's fleet, SFMTA may take into account the device design, use of the device as an adaptive scooter in other locations, feedback from the disability community, and SFMTA staff's professional judgement.

CONCLUSION

SFMTA will create a request form and self-assessment checklist by March 1, 2022 and permittees must submit the completed the form and checklist to Sarah Hellman at sarah.hellman2@sfmta.com by April 15, 2022.

The SFMTA reserves the right to audit information submitted to meet fleet expansion and/or permit extension criteria to ensure accuracy prior to granting a fleet size increase or permit term extension. The SFMTA may perform periodic audits or review of any permit requirements to assess continued compliance.

As the Powered Scooter Share program continues to mature, the SFMTA will continue to collect data and monitor compliance with permit terms and conditions and will continue to develop additional evaluation criteria and metrics as appropriate.

⁶ Only citations for which the appeal period has passed or have been affirmed on appeal will be included in this calculation.