



SFMTA

Powered Scooter Share Permit Program 2019 Application Q+A Session

Permit Application Questions

1. If the application is submitted before Aug 21, will feedback be given so the vendor can modify and/or improve their application before the final due date?
 - a. No. SFMTA intends to begin review after the submission deadline.
2. Do operators need to achieve a score of 2 or more on each subsection or an average for the entire section?
 - a. Applicants must achieve an average score of 2 or greater for each application section (i.e. Section C, D, E, etc.).
3. How many operators do you plan to select?
 - a. We anticipate selecting a limited number of permittees; however this is subject to the strength of the applications we receive.
4. What is the expected date to receive permit?
 - a. We anticipate awarding permits with a launch date on or around October 15th such that service is not disrupted when the current Pilot ends on October 14th.
Clarifying Question: When will permits be announced?
 - a. SFMTA anticipates announcing permittees in September.
5. The application states that sections C,D,E,F,G,H, and J have applicable page limits. Does this mean the other sections – such as Section K, which asks for Terms of Use and Privacy Policy – do not have page limits?
 - a. Yes, that is correct.
6. Will companies that operate as a franchisee of an operator (or under a similar arrangement, e.g using an operator's platform or resources) be eligible to apply for permits if the operator they are partnered with also applies for a permit?
 - a. Yes, that is correct.



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7. If so, will the franchisee and the operator each individually be eligible to deploy up to the maximum fleet size, or will they be capped at the maximum fleet size for one applicant?
 - a. It depends. In this example, where two applicants plan to use the same resources, the SFMTA will assess whether each applicant has the capacity to provide the appropriate operational resources to meet the requirements of the program in determining fleet size.

Clarifying Question: What are those conditions/requirements SFMTA will be looking at?

- a. Refer to Section D (Operations Plan) of the Permit Application.

Section A (Device Standards and Safety Assurances)

#1. Battery Certifications

8. Is it necessary to obtain both 2271 and 2272 certifications?
 - a. Yes.
9. Will the agency consider accepting certifications that are acceptable in Europe and are similar to UL 2271 and 2272 battery certifications?
 - a. Possibly, if the SFMTA can easily determine that the certification is equivalent. The SFMTA strongly suggests submitting UL 2271 and 2272 certifications.
10. Will an application be considered if the operator's vehicle is currently going through UL certification that will be completed before the tender award date?
 - a. Yes, so long as certification is provided prior to permit issuance. Please provide proof that the vehicle is undergoing UL certification with your application.
11. Will the inspection include an inspection/demo of the consumer app, or will the inspection focus on the physical scooter itself? We would like to make sure the appropriate team representatives are available on that date.
 - a. The inspection will focus on the scooter itself. However, SFMTA staff must be able to ride the sample scooter, so please ensure phones and/or app guidance are provided. The app will not be evaluated during the sample scooter drop-off.

Clarifying Question: Will staff be using the app?

- a. Yes.



#2. California Vehicle Code

12. CVC §21223 does not include any language on brakes. It is concerned solely with lights and reflectors. Subsections b, c and d are in §21223, but subsection a is from §21235. Does SFMTA want applicants to provide certification for §21235 as well?
- Yes, scooter models are subject to all California Vehicle Code requirements, per State law. Question 2 asks operators to demonstrate how their scooter models meet or exceed the CVC.
13. Is a finger brake enough, or do brakes need to use the entire hand to slow the scooter?
- The brake must enable an operator to skid the wheel to a stop on dry, level, clean pavement. Section A, Question 3 demonstrates that steps taken to ensure devices are sturdy, user-friendly, and safe for operation will be rated higher.
14. At what angle does the front light have to be visible from the sides?
- See California Vehicle Code Section 21223. The SFMTA recommends the light be visible from the maximum angle possible.
15. Please define “integrated” lock.
- An integrated locking mechanism is one that cannot be removed using simple tools. A combination lock will not be considered an integrated locking mechanism.
Clarifying Question: Is there a model for a lock that would be compliant?
 - Several of the dockless shared mobility providers in San Francisco utilize an integrated lock, including Scoot, JUMP, and BayWheels.
16. Does the integrated lock need to be operable when sample scooters are provided on August 23, or by the time of launch? Will SFMTA accept a detailed plan to develop an integrated lock-to-mechanism within 6 months of permit award? What timeframe would be acceptable to SFMTA?
- The applicant should submit a sample scooter with an integrated lock on August 23rd. The permittees must have the integrated lock on all scooters by permit launch.



Section B (Sample Scooters)

17. Will changes/improvements to the scooter model be allowed before launch? Will the scooter that is presented to SFMTA on Aug 23 need to be the completed version of Scooter?
 - a. Changes and improvements may be made to scooter models prior to launch, however a sample of the closest scooter model will need to be shared as part of the application, and the final model(s) will need to be shared with the SFMTA for approval prior to deployment.

18. Will changes/improvements be allowed post launch? Will we require city approval to deploy new and improved hardware, and new vehicle models?
 - a. Changes and improvements may be made to scooter models post-launch, however a sample scooter of any new model must be shared with the SFMTA for approval prior to deployment. This includes any significant changes to hardware, and to new vehicle models.

Section C (Pricing Structure)

19. Why does SFMTA want operators to offer incentives for trips starting or ending along key transit lines or at transit hubs (this is naturally where many rides start and end)?
 - a. To encourage users to pair their trips with transit.

20. Why does SFMTA want operators to prioritize and incentivize short term scooter trips?
 - a. The SFMTA sees shared mobility as a solution for trips with a utilitarian purpose. Trips longer than 1 hour tend to be for recreation.

21. Under the requirements of Section C, will an operator be allowed to adjust fares at their own discretion?
 - a. Pricing structure and rate changes will be subject to SFMTA review and approval.

22. We would like to adjust prices, at our discretion, based on supply/demand in the system, to offer the most sustainable and reliable service for users. We would remain committed to serving Key Neighborhoods, Communities of Concern, service to neighborhoods without existing powered scooter share service, and meeting the Distributed Guidelines and Requirements. Will this be permitted by SFMTA?
 - a. See #21.

23. Regarding #7: Does SFMTA envision that variable rates would be designed to achieve all three objectives simultaneously (1. prioritize short term trips, 2. maximize fleet availability, and 3. discourage an overconcentration of scooters in the downtown core)?
 - a. If an applicant can design a creative pricing scheme that would achieve all three objectives simultaneously, they are encouraged to do so. However, it is not



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required. Applicants may propose variable rate structures that focus on one or more of these goals, or a few different pricing strategies to employ in tandem to meet the goals.

24. Regarding #8: Can SFMTA clarify what it means by “Billing and customer service business rules for lost scooters”? For instance, it’s unclear what “customer service business rules” are, and we would like to ensure that we are understanding this requirement the same way as SFMTA. Any additional context or examples would be helpful.
- a. The SFMTA is interested in the procedures the applicant follows when a customer reports a missing scooter, or if a scooter goes missing after a customer reports returning it. The described protocol should cover whether a customer is charged for replacement or fined for the loss.

Section D (Operations Plan)

25. Regarding #2: What, if any, are SFMTA’s expectations for non-operational hours?
- a. This is at the discretion of the applicant. The SFMTA, at a minimum, would expect that scooters be available for the AM and PM peak commute periods, but applicants may also consider how they might serve the needs of people with non-traditional work schedules or who need mobility options when transit service is less frequent.

#7. Adaptive Scooter Pilot

26. What is expected to be delivered for Adaptive Scooter Pilot within first 3 months, a prototype or pilot testing of the product?
- a. Applications will be evaluated with preference for companies that provide a detailed plan that is ready for deployment within the first 3 months of the Permit.
27. Does the city have data that can be shared to address the Adaptive needs for SF?
- a. The Mayor’s Office on Disability has developed a resource sheet on community organizations and engagement processes to assist applicants in determining the adaptive needs for San Francisco; please see attached.
28. Please share specific information about the types of adaptive mobility technology and usage/adoption rates you have seen working successfully in other markets.
- a. SFMTA looks forward to applicants’ creative responses to address this issue, which is part of the purpose of the Adaptive Scooter Pilot; and looks forward to working with the selected permittees to collect data on this issue to better understand the range of needs and rates of adoption.



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29. Does SFMTA have a minimum or preferred number/percentage of fleet of adaptive scooters that operators need to introduce, and what is this based on? Would a program building on the Golden Gate park adaptive bike share pilot satisfy the adaptive requirement?

- a. The SFMTA will consider applicants' Adaptive Scooter Pilot proposals in the context of their broader application, especially their operations plan, to ensure that adaptive devices are equitably distributed. The adaptive bike share program in Golden Gate Park is one way applicants might address service to people with disabilities; applicants are encouraged to focus their proposals based on needs identified by people with disabilities and advocacy groups that represent them.

30. Regarding #11: Will SFMTA consider removing vehicle fleet caps and/or other restrictions on vehicle distribution during this type of emergency?

- a. To be determined.

Section E (Plan for Safe Scooter Riding & Parking)

31. Regarding #1(f): Please elaborate on what SFMTA intends by requiring operators to report on "safety complaint investigation and resolution process".

- a. The SFMTA would like details on how the operator plans to respond to complaints of unsafe/illegal rider behavior, such as sidewalk riding, provided by users and/or members of the public. This is connected to 1(e).

Section F (Recharging, Maintenance, Cleaning & Sustainability Plan)

32. Are scooters with swappable battery capabilities a requirement for launch? If the scooter used at launch does not implement swappable battery technology, how will this affect application scoring?

- a. Battery swapping is recommended to reduce potential operational VMT, but not required.

Section G (Hiring and Labor Plan)

33. Please confirm how using a mix of full-time employees and independent contractors will affect the scoring of an operator's application.

- a. Full-time employees tend to be more reliable as a workforce than independent contractors, specifically with respect to safety (i.e. maintenance activities, charging activities, etc.). Labor plans will be scored accordingly.



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34. Regarding #6: Please define “labor harmony plan” & elaborate upon the SFMTA’s expectations.
- a. Refer to San Francisco Transportation Code Division II, Section 916 (d)(5)(S) that will be effective as of August 19th, 2019. [This webpage contains the Transportation Code amendments pertaining to Powered Scooter Share adopted at the 7/16/19 SFMTA Board of Directors meeting.](#)

Section H (Community Engagement Plan)

35. Section H has a six-page limit. Can an applicant provide signed MOUs, LOIs, and/or letters of support in excess of the six-page maximum as evidence of program-ready partnerships?
- a. Yes.
36. In the alternative, can community partners send SFMTA documentation that demonstrate an applicant’s partner-ready programs that staff will review and consider as part of an applicant’s permit application? (We prefer the former option for organizational clarity and ease, but we respectfully defer to SFMTA staff preferences and guidelines.)
- a. No.

Section J (Experience & Qualifications)

37. Regarding #2: Are operators required to report information for every city in which scooters are operated - which, in some cases is over 50 - or would SFMTA be amenable to establishing a population baseline (e.g. cities over 500,000 population), or limit the number (e.g. the largest 20), etc.?
- a. The application specifies that applicants should submit experience from “San Francisco and/or another similarly dense, urban North American city.” Applicants should determine what responsive information to include , as long as the 2-page limit for the section is not exceeded.
38. How will the SFMTA take into account the fact that operators who operate in a large number of markets in the United States (and thus have significantly larger fleet sizes) will have more citations than operators who operate in a smaller number of markets?
- a. The SFMTA will take the size of each market into account when reviewing the number of citations in that market. Refer to J(2) in the scoresheet for scoring guidance on experience.



39. How will the SFMTA treat MOUs or other forms of approval by cities to operate that are not a permit, such as email confirmation, verbal agreements or understandings? How will such agreements affect scoring?
- a. Question 2(b) states "If required, did you have a permit to operate?" If you were not required to have a permit to operate, please state the type of agreement so the SFMTA can verify with the reference/point of contact.

Appendix A (Terms & Conditions)

40. Regarding #9 and #18 (and Appendix 3: Community Engagement Guidelines & Requirements): What are the languages that the SFMTA intends to specify for the multilingual website, call center, mobile application interface, and outreach materials?
- a. At this time, the SFMTA intends to specify Chinese, English, Spanish, and Filipino/Tagalog. However, this is subject to change at the SFMTA's discretion.
41. Regarding #26: Is this requirement limited to parking-related geofencing, or is it meant to be inclusive of geofencing that modifies the scooter speed (speed geofencing, "no ride zone")? Does SFMTA anticipate requiring the implementation of geofencing that affects the scooter's riding behavior?
- a. While the requirement is currently limited to parking-related geofencing, the SFMTA also may consider requiring geofencing to address safety considerations, including limiting scooter speed.
42. Regarding #42: Which regulations does SFMTA consider to be "key laws" [governing the safe operation and parking of Powered Scooters in San Francisco]?
- a. Laws pertaining to sidewalk riding, drivers' license requirements, proper parking, etc.

Appendix B (Insurance & Indemnification Requirements)

43. We have a Certificate of Liability Insurance. Can we wait until we're awarded a Permit before adding Commercial General Liability and Commercial Automobile Liability?
- a. Applicants are not required to purchase all required insurance by the application submission deadline. However, if you have not yet purchased insurance meeting the SFMTA's specifications, applicants must supply a statement of intent to obtain this insurance in advance of being issued a permit. If selected for a permit, all required certificates must be submitted prior to permit issuance.
44. Please confirm if auto coverage can be satisfied with a combination of primary and excess coverage.
- a. Yes, as long as the excess coverage follows form.



45. Please confirm the types of claims the SFMTA anticipates the following provision will protect against. "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."
- a. The provision explains the types of claims that would be covered; please consult your legal counsel.

Appendices 1 & 2 (Powered Scooter Parking & Riding Requirements)

46. Under SFMTA's rules, will scooters be required to utilize the locking mechanism to lock to a fixed physical object at all times when they are not in use? For instance, if there are no appropriate fixed objects in the vicinity, could a user or operations employee park the scooter in accordance with parking rules but not have it locked to a fixed physical object?
- a. Regarding the first question: yes. Regarding the second question: no. The lock-to requirement is for scooters to be locked to fixed objects (i.e. bike racks) that are not in the pedestrian right-of-way. See Appendix 2.

Appendix 3 (Community Engagement Guidelines & Requirements)

47. Please define partnering organizations under this section.
- a. A community organization with which the applicant has a meaningful, working relationship, where the organization and the applicant mutually support and trust each other.
48. Please provide specific examples of the types of service change updates that SFMTA envisions operators will provide.
- a. Service change updates should be provided upon changes related to pricing, service area, devices, membership programs, or operations. The communications 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.
49. What are acceptable formats to provide an "annotated record of community engagement efforts"?
- a. A table or database consisting of a searchable log of meetings with agendas, discussion notes, and comments from community stakeholders, and explanation of how the permittee responded.



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50. What are acceptable formats for “shared database for community feedback concerns”?
- Please refer to Appendix A #28 and #29. The SFMTA will provide guidelines on this after permittees are announced.
51. Can operators presume that SFMTA will provide guidelines on setting up a shared database post-permit issuance?
- Yes

Appendix 4 (Data Reporting Guidelines & Requirements)

52. How does SFMTA define a “complaint” for monthly reporting purposes, as referenced in Appendix 4?
- The SFMTA uses the word “complaint” as it is understood in common vernacular English.
53. For data feeds, is compliance with MDS v0.3.0 acceptable for purposes of the application, since MDS v0.3.2 was just released on 06-13-2019?
- No, applicants must comply with MDS v0.3.2. Please see <https://github.com/CityOfLosAngeles/mobility-data-specification/blob/dev/ReleaseNotes.md> for changes.

Miscellaneous Questions

54. How should applicants structure their application?
- Applicants are **strongly encouraged** to adhere to the numbering scheme (for example, including a “C (1)” tag or heading before describing their low-income plan) so that all information in an application is easy to find and evaluate under the applicable question. If a response refers to more than one question/section, applicant is encouraged to write, for example, “See also C (2)”.
55. How long will vendors have to distribute scooters after receiving permit?
- The SFMTA hopes to issue permits in early October, and the target launch date is expected to be around October 15th. Refer to Appendix A #15 for deployment requirements.
56. What level of input will an operator be able to give about the Monthly Reporting Template?
- The Monthly Reporting Template will be prescribed by the SFMTA.



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57. How does the Powered Scooter Share Permit Program work with the City of San Francisco's 311 system?
- The SFMTA receives most of its complaints about the Powered Scooter Share Program through 311. Complaints generally pertain to improperly parked scooters and sidewalk riding. On-street enforcement of the parking guidelines is conducted by investigators who respond directly to 311 complaints while in the field and issue citations for improperly parked powered scooters.
58. If a scooter is parked in the furnishing zone with all appropriate clearances, is it also required to be locked to a fixed object? If so, is it required for the fixed object to be a bike rack? There appears to be a discrepancy between scooter parking instructions in Appendix 1 and Appendix 2 to this effect.
- Yes; this is the purpose of the lock-to device. The SFMTA strongly prefers that the fixed object be a bike rack, but refer to Appendix 1 for additional appropriate fixed objects.
59. Under the new program, operators will pay a fee for bike rack installation. When will these bike racks be installed? How many bike racks are expected to be installed? Where will they be installed? How can operators help identify best places for installation?
- The SFMTA hopes to install bike racks on a continuous basis, as staff resources allow. Our target is to install 1,000 – 1,200 racks per year. The racks will be installed based on the locations of bike rack requests and based on a proactive bike rack installation plan. Operators are welcome to submit recommendations for bike rack locations.
60. Does the City plan to add parking infrastructure such as bike racks and/or other physical "specially designated areas" to accommodate scooters based on the lock-to requirement, and to allow operators to comply with both the restriction of parking no more than 2 scooters per bike rack in Appendix 1 and the distribution requirement of 75% coverage in Key Neighborhoods in Appendix 5? If so, what is the timeline for installation?
- See Response to previous question (No. 59).
61. It appears that Bayview, a Community of Concern, has the fewest sidewalks that are 9' or more in the city, limiting compliant parking options per Appendix 2. Does the SFMTA plan to provide additional "specially designated areas" for scooter parking in neighborhoods with a high proportion of narrow sidewalks? If so, what is the estimated timeline for these installations?
- No. Scooters should be parked at bike racks.



62. On page 14 of the application it states " Any Powered Shared Scooter that is parked improperly is subject to citation and shall be re-parked in a correct manner or shall be removed by the Permittee within two hours." However in appendix 1 on the page titled "Restrictions for eligible powered scooter parking zones on sidewalks" it states "Upon notification by the City of any Powered Scooter belonging to a Permittee 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 will remove the scooter within one hour."
- a. SFMTA will update Appendix 1 to reflect recent changes to the Transportation Code; the requirement is now 2 hours.

Follow-Up Questions – 8.8.19 Q+A Session

SFMTA has followed up on the following question, which was raised at the August 8th Q&A Session.

1. Regarding Privacy Policy – California Consumer Privacy Act of 2018 (CCPA) won't go into effect until 2020. Can we submit details on our current privacy policy, along with our plan to transition in time for 2020?
 - a. Yes. While the applicant must supply their current privacy policy that adheres to all applicable federal, state, and local laws, applicants should also supply a version of their privacy policy that they intend to implement once the CCPA becomes effective (January 1, 2020).