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TO: Powered Scooter Share Program Permittees, Bikeshare Contractor, and Staff

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

FROM: Jeffrey Tumlin, Director of Transportation

DATE: March 30, 2023

SUBJECT: Safe Micromobility Parking Incentive Policy

This memorandum directs the San Francisco Municipal Transportation Agency (SFMTA) Taxis, Access & Mobility Services Division staff to implement an incentive policy and program that encourages Powered Scooter Share Permit Program permittees and San Francisco's (City) Bikeshare contractor (collectively, Operators) to promptly address misparked scooters and bikes, along with undocked bikeshare bikes (Devices) in San Francisco. The intended outcome of this policy is to promote the public good by reducing the impact of Devices on the safety and accessibility of sidewalks and public spaces in the City. This policy does not supplant the criteria in Appendix 5 of the 2022-2023 Powered Scooter Share Program Permit Terms and Conditions nor any conditions of the City's bikeshare contract. This policy may also be expanded to cover any micromobility Operator participating in a Proof of Concept Authorization program or any successor to a Proof of Concept Authorization program and is consistent with the Mobility Permit Harmonization - designed to unify and streamline the range of mobility permit programs. This policy directive reflects due consideration of the public interest and safety of the transportation system and is based on findings and analysis by the SFMTA.

The SFMTA recognizes the important role that shared micromobility devices play in providing mobility options for residents and visitors in San Francisco. At the same time, it is imperative that scooters and undocked bikeshare bikes are parked safely and do not impede pedestrian access or create safety hazards. The SFMTA also recognizes the importance of safe scooter and bikeshare parking and has received feedback from the community, including seniors, the blind community, and the broader disability community.

The SFMTA, in collaboration with the Mayor's Office on Disability, issued the Mobility Device Parking Requirements and General Guidelines to ensure that parked Mobility Devices do not reduce the safety and accessibility of San Francisco sidewalks. Additionally, SFMTA Mobility Service Investigators are authorized to issue administrative citations for improperly parked devices.



This new policy provides an additional mechanism to achieve the desired outcomes – safe and accessible sidewalks. This policy is designed to encourage Operators to promptly address misparked Devices and reduce the impact on our city’s sidewalks and public spaces.

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.”

SCOOTER PERMITTEE RESPONSE TIME

Appendix 5 of the 2022-2023 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.

Scooter permit terms and conditions #32 and #34 require that scooters that are improperly parked or left standing or unattended on any sidewalk, street, or public right-of-way under the jurisdiction of the SFMTA or Public Works shall be re-parked in a proper manner or removed by the permittee within 2 hours upon notification by the City. In order to track compliance with the response time requirement, the SFMTA established an electronic tracking system to provide an efficient reporting mechanism. Additionally, the SFMTA has posted [public-facing dashboards that track an Operator’s response times](#).

BIKESHARE OPERATOR RESPONSE TIME

The agreement between the City and the City’s Bikeshare contractor outlines response time requirements for improperly parked Devices. The June 25, 2021 Third Amended Agreement between the City and County of San Francisco and Bay Area Motivate, LLC (Agreement) states, in pertinent part, that:

“...[U]pon notification by the City of any Hybrid Electric-Assist Bicycle that is improperly parked or left standing or unattended on any sidewalk, Street, or public right-of-way under the jurisdiction of the SFMTA or Public Works, the Contractor shall remove the Bicycle within two hours.”



INCENTIVE STRUCTURE

Effective April 1, 2023, the SFMTA will implement a scooter share and bike share parking citation fine reduction incentive policy that offers discounts for promptly addressing improperly parked Devices and removal notifications. This policy will apply to eligible scooter companies permitted by the SFMTA and to the City's Bikeshare contractor.

To be eligible for this incentive, Operators must report response times through the "Operator Action Taken"ⁱ tool, which was provided to all Operators in 2020. The SFMTA built this tool to centralize complaints and response data from SFMTA staff, the public, and 311, to track misparked Devices city-wide and to streamline reporting for Operators.

The incentive is structured as follows:

1. **\$50 per citation fine reduction:** In order to earn a \$50 per citation fine reduction, Operators must respond to notifications from the City of any Device that is improperly parked or left standing or unattended within **one hour**, on average, for at least **50%** of the notifications during the respective two-week billing period. Operators must appropriately address the issue of concern and submit an accurate report of the corrective action taken in the "Operator Action Taken" tool; OR
2. **\$50 per citation fine reduction:** In order to earn a \$50 per citation fine reduction, Operators must respond to notifications from the City of any Device that is improperly parked or left standing or unattended within **two hours** on average for at least **90%** of the notifications during the respective two-week billing period. Operators must appropriately address the issue of concern and submit an accurate report of the corrective action taken in the "Operator Action Taken" tool; OR
3. **\$100 per citation fine reduction:** In order to earn a \$100 per citation fine reduction, operators must respond to notifications from the City of any Device that is improperly parked or left standing or unattended (this is a combination of meeting both #1 and #2):
 - a. within **one hour** on average for at least **50%** of the notifications during the respective two-week billing period; AND
 - b. within **two hours** on average for at least **90%** of the notifications during the respective two-week billing period. Operators must appropriately address the issue of concern and submit an accurate report of the corrective action taken in the "Operator Action Taken" tool.
- The SFMTA will validate eligibility during each citation invoice, currently on a bimonthly basis, from the 1st through 15th of each month, and the 16th through the end of the month.



- This policy is subject to change at any time in the sole discretion of the Director of Transportation, based on the effectiveness of the policy.
- SFMTA staff will create publicly available dashboards to track the incentive metrics based on the dashboards.

Eligibility:

- Fine reductions under this incentive are available to Scooter Permittees and the City's Bikeshare Contractor.
- Fine reductions are only available to operators that are current on their citation invoices. An Operator that has any past due outstanding citation invoices shall not be eligible to participate in the incentive program until such time as all of their past due outstanding/unpaid citation invoices have been resolved. Operators are informed through the regular business process if invoices are past due.
- Operators "Operator Action Taken" submission must be accurate. If an Operator submits false or misleading reports, the SFMTA may suspend their eligibility for participation in this program.
- The SFMTA reserves the right to audit information submitted through the "Operator Action Taken" by Operators. The SFMTA may perform periodic audits or review of any policy requirements to assess continued compliance.
- Operators must request in writing to participate in the Safe Micromobility Parking Incentive Program.

CONCLUSION

SFMTA will create and implement the safe parking incentive program by April 1, 2023 and eligible Operators should expect that the incentive program will begin with the billing cycle during the first half of April, 2023.

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. SFMTA staff may reconsider the program at any time based on effectiveness and again at the conclusion of the current scooter permit term or bikeshare contract.



ⁱ Each Operator 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 such notification, notwithstanding circumstances beyond the control of the operators. Reporting includes the submission of proper photographic proof of such action taken, if applicable. SFMTA records the date and time the “Operator Action Taken” form is submitted, and uses this to calculate the response time by subtracting it from the initial notification date and time. 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 may result in the offending Operator losing eligibility to participate in the incentive program.