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FY2025 – FY2026 POWERED SCOOTER SHARE PROGRAM PERMIT

June 30, 2024

Brit Moller
Pheenix CH LLC dba Spin
455 Toland St.
San Francisco, CA 94124

Dear Brit Moller,

The San Francisco Municipal Transportation Agency (SFMTA) is issuing a Powered Scooter Share Program permit to Pheenix CH LLC (doing business in San Francisco as "Spin"), in accordance with San Francisco Transportation Code Sec. 916. This letter and its attachments constitute the FY2025- FY2026 Powered Scooter Share Program Permit No. "1". Please review the attached Permit Terms and Conditions and agree and accept by signing below.

I. Permit Conditions

Permittee agrees to comply with the SFMTA Powered Scooter Share Program Permit Terms and Conditions, and Appendices 1 through 5, as attached.

II. SFMTA Contact

Permittee agrees to contact Danny Yeung (Danny.Yeung@sfmta.com) with any changes to Permittee's designated points of contact information.

III. Permit Term

This permit is valid in the City and County of San Francisco from July 1, 2024 at 12:00 am through June 30, 2026 11:59 pm.

IV. Fleet Size

Starting July 1, 2024, Spin is authorized to deploy 2,750 devices in the City and County of San Francisco, which number may be adjusted pursuant to the Permit Terms and Conditions and Appendices.

Agreed to and accepted on June 30, 2024 by duly authorized representative.

Kate Toran

Kate Toran
Director of Taxis, Access & Mobility Services
SFMTA

Brit Moller

Brit Moller
Head of Public Policy & Communications
Pheenix CH LLC. dba Spin

San Francisco Municipal Transportation Agency 1 South Van Ness Avenue, 7th Floor San Francisco, CA 94103 SFMTA.com

311 Free language assistance / 免費語言協助 / Ayuda gratis con el idioma / Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuite / 無料の言語支援 / Librang tulong para sa wikang Filipino / 무료 언어 지원 / การช่วยเหลือทางด้านภาษาโดยไม่เสียค่าใช้จ่าย / خط المساعدة المجاني على الرقم



FY2025-FY2026 Powered Scooter Share Program Permit

Terms and Conditions and Appendices

Permittee agrees to abide by and comply with the Permit, Permit Terms and Conditions and Appendices set forth herein, and the Permittee's Application submitted on May 1, 2024, in the operation and administration of Permittee's Powered Scooter Share Program. The Appendices, which may be updated from time to time, the Permit Application and Permittee's Application, particularly the plans and proposals submitted as part of the Application are incorporated by reference as though fully set forth herein. Should there be a conflict of terms or conditions, the Permit, Permit Terms and Conditions, and Appendices, shall control over the Application and the Permittee's Application. In addition, any changes to the plans submitted in the Permittee's Application must be submitted in writing to the SFMTA for approval. Unless otherwise defined, all capitalized terms in this Permit shall have the same meaning as defined in the San Francisco Transportation Code, Division II. For purposes of this Permit, "Powered Scooter" or "scooter" both shall refer to Powered Scooters that are part of the Permittee's Powered Scooter Share Program.

Appendix 1 – Mobility Device Parking Requirements and General Path of Travel Guidelines

Appendix 2 – Community Engagement Guidelines and Requirements

Appendix 3 – Data Reporting Guidelines and Requirements

Appendix 4 – Distribution Guidelines and Requirements

Appendix 5 – Sustainability Guidelines and Requirements

General Requirements

1. Possessory Interest. Permittee acknowledges that any Permit issued may create a "possessory interest" for property tax purposes. Generally, a possessory interest is created if the Permit entitles the Permittee to possession, occupancy, or use of City property for private gain or benefit.
2. Permittee shall keep itself fully informed of the City's Charter, codes, ordinances and duly adopted rules and regulations of the City, state, and federal laws that may affect, in any manner, operations under this Permit, including but not limited to the San Francisco Transportation Code, the California Vehicle Code, the San Francisco Fire Code, and local wage requirements, and must at all times comply with such local codes, ordinances, and regulations and all applicable laws as they may be amended from time to time.
3. Permittee shall indemnify and save harmless City and its officers, agents and employees from, and, if requested, shall defend them against any and all loss, cost, damage, injury, liability, and claims thereof for injury to or death of a person, including employees of Permittee, or loss of or damage to property, arising directly or indirectly from the activity authorized by the Permit, including, but not limited to, Permittee's use of facilities or equipment provided by City or others, and claims brought by customers of Permittee, regardless of the negligence of, and regardless of whether liability without fault is imposed or sought to be imposed on City, except to the extent that such indemnity is void or otherwise unenforceable under applicable law in effect on or validly retroactive to the date of this Permit, and except where such loss, damage, injury, liability or claim is the result of the gross negligence or willful misconduct of City and is not contributed to by any act of, or by any omission to perform some duty imposed by law or agreement on Permittee, its subcontractor or either's agent or employee. The foregoing indemnity shall include, without limitation, reasonable fees of attorneys, consultants and experts and related costs

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and City's costs of investigating any claims against the City. In addition to Permittee's obligation to indemnify City, Permittee specifically acknowledges and agrees that it has an immediate and independent obligation to defend City from any claim which actually or potentially falls within this indemnification provision, even if the allegations are or may be groundless, false or fraudulent, which obligation arises at the time such claim is tendered to Permittee by City and continues at all times thereafter. 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.

4. Insurance Requirements.

- a. Required Coverages. Without in any way limiting Permittee's liability pursuant to the Indemnification section of this Permit above, Permittee must maintain in force, during the full term of the Permit, insurance in the following amounts and coverages:
 - i. Workers' Compensation, in statutory amounts, with Employers' Liability Limits not less than \$1,000,000 each accident, injury, or illness; and
 - ii. Commercial General Liability Insurance with limits not less than \$2,000,000 each occurrence and \$5,000,000 general aggregate for Bodily Injury and Property Damage, including Contractual Liability, Personal Injury, Products and Completed Operations; and
 - iii. Commercial Automobile Liability Insurance with limits not less than \$1,000,000 each accident, "Combined Single Limit" for Bodily Injury and Property Damage, including Owned, Non-Owned and Hired auto coverage, as applicable.
 - iv. Technology errors and omissions insurance, applicable to Permittee's profession, with limits not less than \$1,000,000 each claim with respect to negligent acts, errors or omissions in connection with the Services.
 - v. Permittee shall maintain in force during the full life of the agreement Cyber and Privacy Insurance with limits of not less than \$2,000,000 per claim. Such insurance shall include coverage for liability arising from theft, dissemination, and/or use of confidential information, including but not limited to, bank and credit card account information or personal information, such as name, address, social security numbers, protected health information or other personally identifying information, stored or transmitted in electronic form.
 - vi. Commercial General Liability and Commercial Automobile Liability Insurance policies must be endorsed to provide:
 1. Name as Additional Insured the City and County of San Francisco and SFMTA, its Officers, Agents, and Employees.
 2. That such policies are primary insurance to any other insurance available to the Additional Insureds, with respect to any claims arising out of this Permit, and that insurance applies separately to each insured against whom claim is made or suit is brought.
- b. All policies shall be endorsed to provide thirty (30) days' advance written notice to the City of cancellation for any reason, intended non-renewal, or reduction in coverages.

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- c. Should any of the required insurance be provided under a claims-made form, Permittee shall maintain such coverage continuously throughout the term of this Permit and, without lapse, for a period of three years beyond the expiration of this Permit, to the effect that, should occurrences during the contract term give rise to claims made after expiration of the Permit, such claims shall be covered by such claims- made policies.
 - d. Should any required insurance covering Permittees or approved subcontractors lapse during the term of this Permit, requests for payments originating after such lapse shall not be processed until the City receives satisfactory evidence of reinstated coverage as required by this Permit, effective as of the lapse date. If insurance is not reinstated, the City may, at its sole option, terminate this Permit effective on the date of such lapse of insurance.
 - e. Before commencing any Services, Permittee shall furnish to City certificates of insurance and additional insured policy endorsements with insurers with ratings comparable to A-, VIII or higher, that are authorized to do business in the State of California, and that are satisfactory to City, in form evidencing all coverages set forth above. Approval of the insurance by City shall not relieve or decrease Permittee's liability hereunder.
 - f. The Workers' Compensation policy(ies) shall be endorsed with a waiver of subrogation in favor of the City for all work performed by the Permittee, its employees, agents and subcontractors.
 - g. If Permittee will use any subcontractor(s) to provide Services, Permittee shall require the subcontractor(s) to provide all necessary insurance and to name the City and County of San Francisco, its officers, agents and employees and the Permittee as additional insureds.
5. Permittee may subcontract or delegate portions of its obligations only upon prior written approval of SFMTA and subject to the following:
 - a. If the proposed subcontractor will manage devices in Permittee's fleet, Permittee must disclose the number of devices that the subcontractor will manage and the scope(s) of work it will perform when seeking approval from the SFMTA, and if approved, update this information, as needed, to the SFMTA in writing during the permit term.
 - b. Permittee must ensure that any and all approved subcontractors comply with all of Permittee's applicable obligations and commitments, including but not limited to plans from Permittee's application incorporated by reference herein, related to the work the subcontractor performs.
 - c. Permittee is responsible for, and must supervise its personnel and all subcontractors, including independent contractors, who perform obligations under the permit.
 - d. Permittee must incorporate information regarding staff or the work performed by any subcontractors, as applicable, into its required compliance reporting to the SFMTA.
 - e. Any agreement made in violation of this provision shall be null and void.
6. Permittee agrees to maintain and make available to the SFMTA, during regular business hours, accurate books and accounting records relating to its Powered Scooter Share Program. Permittee shall permit the City to audit, examine and make excerpts and transcripts from such books and records, and to make audits of all materials and other data related to all matters covered by this Permit. Permittee shall include the same audit and inspection requirements in all subcontracts.

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Program Requirements

7. Powered Scooters shall only be 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 but are clearly and understandably communicated to the customer prior to scooter use. Permittee's pricing structure included in its application, is incorporated by reference. Permittee shall update the SFMTA, in writing via email, each time there is a change to the pricing structure, for any device type, including devices in the Adaptive Scooter Program.
8. Permittee will implement a targeted community outreach plan that complies with the Community Engagement Guidelines and Requirements, Appendix 2, at its own cost. Permittee's Community Engagement Plan, submitted in its application, is incorporated by reference.
9. During the term of the permit, the Permittee shall offer to its customers not less than one in- person or remote safety training class every quarter beginning at permit issuance. The safety training class must address safe scooter riding rules and inform customers that riding on sidewalks is illegal and may result in account suspension or revocation for the duration of the permit. The safety training class shall also inform customers of the Mobility Device Parking Requirements and General Path of Travel Guidelines, set forth in Appendix 1.
10. Permittee will employ 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.
11. Permittee will comply with the City's Zero Waste Policy regarding disposal of scooters and scooter parts, including hazardous waste such as batteries, and disclose the number of scooters and scooter parts ending up in the City's waste stream, as specified in the Data Reporting Guidelines and Requirements, Appendix 3.
12. Permittee will comply with Section 325 of the San Francisco Fire Code, Lithium-Ion Batteries in Powered Mobility Devices, which establishes fire protection standard safety requirements for the charging and storage of lithium-ion batteries used in powered mobility devices.
13. Permittee will comply with its submitted labor harmony plan and agrees to notify the SFMTA of any changes to its labor harmony plan, which is incorporated by reference. Permittee will utilize the City's First Source Hiring Program, and coordinate with other community-based organization hiring programs as appropriate, to encourage direct employment of qualified and economically disadvantaged San Franciscans through the City's numerous community workforce partners. Permittees will submit a report, upon request of the SFMTA, disclosing the number of employees, status (e.g., W-2, full-time/part-time) and compensation, along with the number and percent of direct hires, staffing agency hires, and independent contractor hires.
14. Permittee is responsible for implementing and submitting to the SFMTA a maintenance, cleaning, staffing, and repair plan for approval by the SFMTA. To the extent Permittee will use independent contractors to execute any part of the plan, Permittee shall educate and train such independent contractors on how to do so.
15. Permittee agrees to provide the SFMTA with a user account to monitor and ensure Permittee's compliance with the Terms and Conditions, policies, procedures, and application commitments regarding the Permittee's mobile application and device operation. Permittee will allow access for the entirety of the permit term and shall provide sufficient

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rider credit on this account such that at least five 5-minute rides can be taken each month. The account must have the same functionality as the account of a member of the general rider public would have. If the SFMTA finds that the account provided under this section does not have the same functionality as a paying rider, Permittee will be subject to all available remedies, including as applicable, administrative penalties and/or permit revocation.

Equitable Service Requirements

16. Permittee will maintain a multilingual website with languages determined by the SFMTA, a call center, and a mobile application customer interface that is available 24 hours a day, seven days a week. Permittee will make outreach materials available in languages determined by the SFMTA.
17. Permittee shall offer a one-year low-income customer plan that waives any applicable scooter deposit and offers a minimum 50% discount off rental fees, or a plan that offers unlimited trips under 30 minutes, to any customer with an income level at or below 200% of the federal poverty guidelines, subject to annual renewal. Permittee will advertise the low-income plan as part of its targeted marketing, and during the first-time sign-up process (including in-app checkouts). Permittee will target the goal of having one low-income plan member for every two scooters authorized under this Permit. CalFresh, PG&E Care and Muni Lifeline eligibility are acceptable income verification proxies for low-income memberships. Permittee shall also offer a cash payment option that is clearly advertised and easy to use. Permittee's plan, submitted in its application, is incorporated by reference.
18. Mobile apps and other customer interface technology must be fully accessible to persons with disabilities and accessible to screen readers and must comply with Section 508 of the United States Workforce Rehabilitation Act of 1973 and the most recent version of the Web Content Accessibility Guidelines (WCAG).

Distribution of Scooters

19. Permittee agrees to limit the total number of their scooters parked or in use in San Francisco (Permitted Scooters) to the number listed in the permit letter. Permitted Scooters are defined as scooters being rented or left on public property, whether they are available for hire, or whether they are unavailable due to needing recharging or other maintenance. Permittees must maintain more than 50% of their permitted fleet size of Permitted Scooters for 25 days per month for the duration of the permit.
20. Distribution of scooters shall adhere to the Distribution Guidelines and Requirements, Appendix 4, which identifies Service Areas, and distribution requirements in the Downtown Core and Key Neighborhoods, to meet equity goals.
21. Permittee agrees to limit the Service Area, defined as the area in which Powered Scooters may deploy, park or otherwise operate as shown in the Scooter Share Service Area Map linked in the Distribution Guidelines and Requirements, Appendix 4, at the discretion of the SFMTA.
22. Permittee shall incorporate at least one seated scooter device type in its fleet. Seated scooters shall make up at least 5% of the Permitted Scooters in its fleet and shall meet all Permitted Scooter requirements and count toward the device cap. Seated scooters must fit within the standard footprint of a bike rack.
23. Permittee shall also concurrently provide an Adaptive Scooter Program featuring adaptive device types, pending approval by the SFMTA, that will not be counted as Permitted Scooters. Permittee's approved Adaptive Scooter must meet all requirements applicable to Permitted Scooters, except for Sections 7, 38 and 41, or as otherwise noted in the

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Permit. Permittee may submit updated plans during the permit term, subject to approval by the SFMTA. Permittee shall track and report on Adaptive Scooter Program data enumerated in Appendix 3, Data Reporting Guidelines and Requirements.

24. For purposes of the Permit, "Adaptive Scooter" is defined as a Power Scooter that is adapted to expand access to people with various physical disabilities by having a seat and two or more of the following features: 1) more than two wheels; 2) floorboard or frame no higher than 12 inches from the ground; 3) basket; 4) wheels over 12 inches in diameter; 5) backrest; 6) or equivalent features approved by the SFMTA. Adaptive Scooters must fit within the standard footprint of a bike rack.
25. The Permittee shall adhere to the following as part of the Adaptive Scooter Program:
 - a. The Permittee shall have at least two Adaptive Scooter models available.
 - b. The Permittee shall have at least ten Adaptive Scooters available to rent.
 - c. The Permittee shall provide Adaptive Scooter pick-up and drop-off service for customers.
 - d. The Permittee shall offer customers drop-off and pick-up windows that do not exceed one hour.
 - e. The Permittee shall offer Adaptive Scooter drop-off and pick-up windows from 6AM to 10PM.
 - f. The Permittee shall allow the customer to rent an Adaptive Scooter for at least 24 hours. Rental periods may be less than 24 hours at the customer's request.
 - g. The Permittee shall make an Adaptive Scooter rental request form available through its website and shall provide a link to the rental request form to the SFMTA. Permittees shall reply to rental requests within 24 hours.
 - h. The cost to rent an Adaptive Scooter must be equal to or less than the same use of Permitted Scooters, including low-income rates, as applicable.
 - i. The Permittee shall publicize the program by conducting at least four Adaptive Scooter Program outreach activities per year.
26. Permittee shall apply geofencing specifications provided by the SFMTA to prohibit parking/locking scooters in specified areas or addresses, or to direct users to specified designated parking area (e.g., at an event venue), within seven calendar days' notice from SFMTA. Permittee shall demonstrate compliance with such geofencing specifications by sending screenshots to SFMTA, via email, of the app showing this geofencing.
27. Permittee shall prohibit scooter riding in specified areas in accordance with geofencing specifications issued by the SFMTA. Permittee shall implement such geofencing restrictions within seven calendar days' notice from the SFMTA, and shall submit written proof to SFMTA, via email, by sending screenshots of its app showing such geofencing.
28. During deployment and rebalancing, employees and/or independent contractors of the Permittee shall obey the following Operating Guidelines:
 - a. *Muni priority*: Muni buses shall be given priority at and approaching or departing transit stops;
 - b. *Yield to Muni*: Where Muni or other public transit buses are approaching a transit stop and when safe to do so, Permittee's employees or independent contractors shall allow such buses to pass so they may stop at transit stops;
 - c. *Red and blue zones*: Vehicles operated by Permittee shall not stop or stand in Muni stop "red zones" or accessible parking "blue zones";
 - d. *Active loading; No staging or idling*: Permittee's employees and independent contractors shall only stage vehicles at locations in accordance with applicable parking laws and regulations;

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- e. *Pull in:* Permittee's employees and independent contractors shall pull support and rebalancing vehicles all the way up to, and parallel with, the curb for scooter loading and unloading, and shall not load or unload scooters in a vehicle or bicycle lane, or in a manner that impedes travel in these lanes;
- f. *Comply with all applicable laws:* Permittee's employees and independent contractors shall comply with all applicable state, and local laws, including the San Francisco Transportation Code, and the California Vehicle Code. If the SFMTA in its sole discretion, determines that a Permittee's scooter distribution or collection activities are being performed in an unsafe manner or in violation of applicable parking and traffic laws, this determination shall be grounds for summary suspension or permit revocation, as applicable.
- g. *Provide contact information of key staff to SFMTA.* Permittee shall provide the SFMTA with a contact name, email address and phone number for staff that are responsible for rebalancing scooters in a format designated by the SFMTA, and update whenever a change in staff takes place.

Responsiveness Requirements

- 29. Permittee shall provide a 24-hour customer service phone number for customers and members of the public to report safety concerns, complaints, or ask questions. An intake form must also be accessible online which allows the public to report improperly operated or parked scooters by providing time, date, location, direction of travel if applicable, and the scooter's identification number if available.
- 30. Customers using Powered Scooters in the Permittee's fleet will be provided with a mechanism to notify the Permittee that there is a safety or maintenance issue with the scooter. This mechanism shall not be the Permittee's sole method of identifying safety or maintenance issues.
- 31. Any Powered Scooter that is parked improperly, as defined in Mobility Device Parking Requirements and General Path of Travel Guidelines, Appendix 1, is subject to citation. Additionally, any Powered Scooter that is improperly parked, left standing, or unattended on any sidewalk, Street, or public right-of-way under the jurisdiction of the SFMTA, Public Works, the Port of San Francisco, or other City department or agency, as the SFMTA may determine from time to time, shall be re-parked in a correct manner or shall be removed by the Permittee within two hours upon notification by the City.
- 32. Any inoperable Powered Scooter, or any Powered Scooter that is not safe to operate, shall not be available for rent and shall be removed from the right-of-way within 24 hours after notice from the City or verified notice from a user and shall be repaired before the scooter is returned to revenue service. If such scooter is parked improperly, it is also subject to the preceding provision.
- 33. Permittee shall relocate or rebalance scooters within two hours of a request by the City. Permittee shall stop placing scooters or allowing independent contractors to place scooters in front of any address provided by the SFMTA, within 48 hours of notice.
- 34. Each scooter must undergo a maintenance check at least every two months. Graffiti on any scooter must be removed within 24 hours and inappropriate or profane language must be removed within 4 hours of being reported by Permittee's employee or independent contractor, the City, or a member of the public. The Permittee shall maintain adequate documentation demonstrating compliance with these requirements and provide the SFMTA with this documentation upon request, as detailed in Data Reporting Guidelines and Requirements, Appendix 3.

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Device Requirements

35. One sample of any scooter to be used under this Permit is to be made available for inspection by the SFMTA to verify scooters adhere to the device specifications any time a new scooter version, including any Adaptive Scooter model, is introduced into the fleet. The SFMTA will return vehicles to the Permittee following inspection. Permittee shall also provide SFMTA with clear exemplar photographs of any scooter design to be used under this Permit, including variants on colors or emblems.
36. The emblem of the Powered Scooter Share Operator and a unique identifier shall be prominently displayed on the Powered Scooter. The unique identifier shall be at least 2 inches in height, and visible from the front or from both sides of the device, provided however, the unique identifier shall not be a QR or bar code. The name and current contact information for the Powered Scooter Share Operator shall be visibly displayed on all Powered Scooters.
37. All Powered Scooters shall meet the requirements set forth in California Vehicle Code § 21223.
38. All Powered Scooters shall have an integrated locking mechanism which cannot be removed using simple tools and which securely holds the scooter upright when parked at a bike rack or other fixed object as specified in the Mobility Device Parking Requirements and General Path of Travel Guidelines, Appendix 1. A combination lock will not be considered an integrated locking mechanism.
39. All Powered Scooters shall comply with Transportation Code Section 916(d)(5)(T), regarding sidewalk detection technology and must provide a monthly sidewalk riding report through Mobility Device Specification (MDS) as specified in Data Reporting Guidelines and Requirements, Appendix 3.
40. All Powered Scooters shall have a sticker with language stating “No Sidewalk Riding” affixed in a visible location and shall be at least 1 inch in height.
41. All Powered Scooters shall be equipped with an on-board GPS device capable of providing real-time location data to the SFMTA in accordance with the specifications described in the Data Reporting Guidelines and Requirements, Appendix 3.

Safe Riding and Parking of Scooters

42. Permittee shall be responsible for educating their employees and Powered Scooter Share users regarding state and local laws governing the safe operation and parking of all Permitted Scooters that are part of its fleet in San Francisco. This shall include providing notification about key laws governing operation on each scooter.
43. Powered Scooters shall be parked standing upright and outside the path of travel in a manner consistent with the Mobility Device Parking Requirements and General Path of Travel Guidelines, Appendix 1. The Permittee shall instruct customers how to park a scooter properly and comply with their Plan for Safe Scooter Riding & Parking, submitted in their application, which is incorporated by reference.
44. In addition to complying with Transportation Code Section 916(d)(5)(T), regarding sidewalk detection technology, the Permittee shall develop additional mechanisms to deter their users from sidewalk riding, which may include issuing warnings, graduated monetary penalties, and/or suspensions from use. Permittee’s Plan for Safe Scooter Riding & Parking, submitted as part of its application, is incorporated by reference.
45. Permittee must distribute SFMTA-developed Public Service Announcement video(s), which the SFMTA will provide, in-app to all users.

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46. Permittee shall offer users the option to report safety issues, including involvement in a collision, in its app at the end of every ride.
47. Permittee shall inform users during the new user onboarding process and all other safety trainings (electronic and/or in-person) that scooters are not permitted aboard Muni vehicles or on Muni platforms.

Fees

48. A permit fee must be paid by the Permittee before any permit may be issued. Failure to pay any applicable annual/renewal fee shall result in termination of any existing permit. In addition, the Permittee 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. Failure to pay any such penalty on time may warrant additional penalties and/or revocation of any existing permit.
49. If the SFMTA, Public Works, or any other City agency, department, or commission, including the City Attorney's Office, incurs any costs for addressing or abating any violations of law, including repair or maintenance of public property, the Permittee, upon receiving written notice from the City regarding such costs, shall reimburse SFMTA for these costs within thirty days. Any payment made pursuant to this paragraph shall not substitute for any installment payment otherwise owed or to be paid to the SFMTA.
50. Any Powered Scooter that is parked at one location for greater than 7 consecutive days may be removed by City staff and taken to a City facility for storage at Permittee's expense.
51. Permittee shall pay the fee as set forth in the SFMTA Fee and Fine Schedule, published on the SFMTA's website, to SFMTA for each permitted device to cover the cost of procurement and installation of bicycle racks to ensure an adequate supply of bicycle/scooter parking (Bike Rack Fee), except to the extent that Permittee paid such a fee for its permitted fleet pursuant to its permit under the 2022-2023 Powered Scooter Share Program. In the case where Permittee paid the Bike Rack Fee for its permitted devices under a prior permit, Permittee will only need to pay the fee for any devices added to its permitted fleet as authorized by the SFMTA.

Data Sharing Requirements

52. Permittee shall provide data to the SFMTA according to the Mobility Data Specification (MDS) developed by the Open Mobility Foundation (OMF). The data shall conform to the following specifications:
 - a. Permittee shall maintain the required feed of the specified data at all times while the Powered Scooter is providing service to customers within the City.
 - b. Permittee is directly responsible for providing the API key to the SFMTA and shall not refer the City to another subsidiary or parent company representative for API access.
 - c. If a Powered Scooter becomes unable to provide the required data for any reason, Permittee shall not operate that Powered Scooter until data transmission is restored.

The Data Reporting Guidelines and Requirements, Appendix 3, provides further detail regarding the specific data requirements. Appendix 3 may be updated from time to time, and the SFMTA will provide written notice to Permittee of any such update. Permittee shall implement any required changes within 90 days of written notification from the SFMTA.

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53. The SFMTA is permitted to use Permittee's API and display aggregated data.
54. Permittee shall distribute at least one customer survey annually prepared by the SFMTA to a survey population specified by the Agency. Permittee agrees to provide the SFMTA with a copy of the survey invitation email for review and approval prior to distributing survey and a copy of the survey results.
55. Permittee will keep a record of reported collisions broken down by severity, as specified by the SFMTA. These records shall be sent to the SFMTA immediately, as specified in Data Reporting Guidelines and Requirements, Appendix 3.
56. Permittee agrees that the SFMTA may use a third-party researcher to evaluate the Powered Scooter Share Program. Data will be shared with the third-party researcher only for purposes of the evaluating or enforcing the requirements in this permit.
57. Permittee shall share personally identifiable information in Permittee's possession about a Powered Scooter Share user with the City where there is an injury alleged to be related to a Powered Scooter, or a claim or lawsuit against the City and the scooter user may have information about, or responsibility for, the claim.

Privacy Policy

58. Permittee must provide a Privacy Policy that safeguards customers' personal, financial, and travel information and usage including, but not limited to, trip origination and destination data. Permittee agrees to make its policies, procedures and practices regarding data security available to the SFMTA, upon request, and further agrees that the SFMTA reserves the right to hire a third party to perform a security audit mid-way through the permit term, or at any time SFMTA determines that an audit is warranted.
59. Permittee must provide customers the opportunity to explicitly assent to any privacy policy, terms of service, or user agreements. Separately, customers must have the ability to decline sharing any data not required to enable the Permittee to process and complete the transaction. In addition, Permittee must include in its privacy policy a provision that the customer agrees that the Permittee specifically may provide the location data of the scooter the customer uses with the City and County of San Francisco as required by its permit.
60. Permittee shall provide a Privacy Policy that complies with the California Online Privacy Protection Act (CalOPPA), the California Consumer Privacy Act (CCPA), and any other applicable data protection law or requirements including those that apply to minors, and further, expressly limits the collection, storage, or usage of any personally identifiable information to the extent absolutely required to successfully accomplish the provision of a Powered Scooter Share transportation service. For purposes of this permit, "personally identifiable information," "personal information," or "personal data" shall be defined under applicable state law. Without limitation to other permitting provisions requiring anonymized origin/destination and route data for solely public purposes set forth by the City and County of San Francisco, Permittee may not make any personal data of program participants in San Francisco available to any third-party advertiser or other private entity, including another entity that may be affiliated with or jointly owned by the entity that owns Permittee.
61. Permittee shall not claim any legal right in its Terms of Use, Privacy Policy, or elsewhere to institute retroactive changes to its Privacy Policy and shall provide an opportunity for the customer to explicitly assent prior to any changes to its data practices, including uses of data Permittee collected under a prior policy.

SFMTA Powered Scooter Share Program Permit

62. Permittee may not collect Personal Data related to, nor sort Personal Data nor individual data subjects according to race, gender, religion, national origin, age, or sexual orientation except for survey data collected on an opt-in basis and for a public purpose expressly set forth by SFMTA. Permittee may not deny service to any user on the basis of their refusal to provide any such survey information. The SFMTA shall consult the Human Rights Commission if it receives any complaints based upon any potential violations of this provision.
63. Permittee must disclose any and all existing data sharing agreements and must notify SFMTA in advance of any prospective partnership, acquisition or other data sharing agreement. Permittee may not engage in or facilitate any inter-app operability or other form of private partnership that includes data acquisition or other data sharing model with any entity if the entity does not meet the standards set forth herein.

Permit Revocation and Summary Suspension

64. The SFMTA will monitor Permittees' compliance with the permit Terms and Conditions and reserves the right to revoke or partially revoke a permit if one or more of these Terms and Conditions are not met, or if the Permittee is found to have misrepresented any aspect of their application. In the event that a permit is revoked, the SFMTA may take action as appropriate, including deciding not to re-allocate the number of scooters in that permit, issuing a permit to the applicant with the next highest score, redistributing fleet size to the other existing Permittee(s), or re-opening the application process. In addition, if Permittee has violated any statute, ordinance or regulation which would be a basis for revocation, the SFMTA may, in its discretion, refuse to issue a permit in the subsequent permit application evaluation.
65. The SFMTA reserves the right to revoke or summarily suspend a Powered Scooter Share Program Permit at any time upon written notice of revocation or summary suspension sent to both the Permittee's mailing and email addresses included as contact information in the Permit. The SFMTA reserves the right to terminate any permit issued if the Permittee violates any terms of the permit or is found to have misrepresented any aspect of their application.
66. If a notice of revocation is sent, the Permittee agrees to surrender such permit in accordance with the instructions in the notice. In the event that the SFMTA revokes a Powered Scooter Share Program Permit, Permittee shall remove the Powered Scooter from the City right-of-way within five business days from the date the notice of revocation was mailed and emailed by the SFMTA to the Permittee.
67. In circumstances that pose an imminent or ongoing risk to public health or safety, the SFMTA reserves the right to summarily suspend a Powered Scooter Share Program Permit effective on the date the notice of summary suspension is mailed and emailed to the Permittee. The SFMTA shall state the public health or safety reasons that require summary suspension in the notice. In such circumstances, the Permittee shall be required to immediately remove its Powered Scooters from the City rights-of-way.
68. If the SFMTA determines in its sole discretion that the Permittee's users' failure to comply with applicable laws governing the safe operation and parking of any Permitted Scooters in its fleet, including but not limited to, laws governing operation on sidewalks, and parking requirements, has created a threat to public health and safety, such determination shall be grounds for summary suspension or revocation at the discretion of the Director.
69. If the Permittee wishes to contest the revocation or summary suspension of a permit, the Permittee may request a hearing in accordance with the San Francisco Transportation Code Section 916(f).

SFMTA Powered Scooter Share Program Permit

70. A permit may not be assigned, novated, or transferred without the prior written approval of the Director of Transportation. For purposes of this paragraph, "transfer" shall include the sale or other exchange of 50% or more of the ownership or control of a Permittee to a third party. The Director's approval of any such transfer is subject to the Permittee demonstrating to the SFMTA's reasonable satisfaction that the proposed transferee is: (i) reputable and capable, financially and otherwise, of performing each of Permittee's obligations under this Permit and any other documents to be assigned, (ii) not forbidden by applicable law from transacting business or entering into this permit with the SFMTA; and (iii) subject to the jurisdiction of the courts of the State of California. Permittee shall immediately notify SFMTA of any changes to Permittee's corporate structure or ownership. Failure to do so shall be cause for revocation of the permit and any purported transfer made in violation of this provision shall be null and void.
71. Permittee acknowledges that this Permit and all records related to its formation and Permittee's compliance with terms and conditions are subject to the California Public Records Act, (California Government Code §6250 et. seq.), and the San Francisco Sunshine Ordinance, (San Francisco Administrative Code Chapter 67). Such records are subject to public inspection and disclosure unless exempt from disclosure under federal, state or local law.

Compliance with Applicable Law

Permittee represents and certifies, under penalty of perjury, that the Permittee, any Powered Scooter Share Operator, and all Powered Scooters, are in compliance with all California Vehicle Code requirements, Powered Scooter Share Permit requirements, and Powered Scooter Share Operator criteria set forth in the City's Transportation Code, and any other applicable local, state, or federal law.

Permit Jurisdiction

This permit is only valid for operations in the public right-of-way of the City and County of San Francisco under the jurisdiction of the SFMTA, Port of San Francisco, Public Works, or any other City department or agency as SFMTA may determine from time to time.



Appendix 1

Powered Scooter Share Program Permit: Mobility Device Parking Requirements and General Path of Travel Guidelines

Version 03.29.2024

Introduction

The following requirements and guidance are intended to ensure that SFMTA Permittees, Authorized Operators, and contractors (collectively Qualified Operators) meet their obligations under the law, and as applicable, their agreement, permit, Proof of Concept Authorization (POCA), or other authorization, and to ensure that parked Mobility Devices do not reduce the safety and accessibility of San Francisco sidewalks. For purposes of these guidelines, "Mobility Devices" include Powered Scooters that are part of a Powered Scooter Share Program, Stationless Shared Bicycles, and devices permitted under a Proof of Concept Authorization. Unless otherwise defined in these guidelines, all capitalized terms have the same definitions as in Article 900 and Article 1200 of Division II of the Transportation Code, as applicable.

State and local law impose limitations on the parking and placement of Mobility Devices in the public right-of-way in San Francisco. Section 7.2.110(b) makes it a violation for a Mobility Device, as defined in Section 1202 under Division II, that is part of a Shared Mobility Device Service to "park, leave standing, or leave unattended...on any sidewalk, Street, or public right-of-way under the jurisdiction of the Municipal Transportation Agency or other City department or agency without a permit, agreement, or other authorization issued by the appropriate City department or agency authorizing the Mobility Device to be parked, left standing, or left unattended at that location except as otherwise provided in Division II of this Code. Mobility Devices parked, left standing, or left unattended in violation of this Section 7.2.110 constitute a public nuisance subject to abatement and removal pursuant to Article 26 of the Public Works Code, Sections 1600 et seq."

San Francisco Public Works Code Section 723 prohibits obstructing the public right-of-way and provides that "(i)t shall be unlawful for any person, firm or corporation, without permission from the Department of Works, to pile, cap or otherwise obstruct or place obstructions upon, above, or below, any public right-of-way...." "Public right-of-way" in Section 723 includes sidewalks. Section 723 provides that any violation also constitutes a public nuisance subject to citation and abatement including impoundment as set forth in Chapter 80 of the San Francisco Administrative Code.

Parking Mobility Devices in a manner that impedes pedestrian traffic presents significant challenges for other sidewalk and street users, particularly for older adults or persons with disabilities, such as someone who is low vision or blind or someone who uses a mobility aid such as a wheelchair or cane.

Qualified Operators must use this guidance to instruct customers and staff on how to park a Mobility Device properly. Additionally, please note that sidewalk riding, even while parking a Mobility Device, is dangerous and prohibited. Any and all violations to these parking requirements may constitute

violations of the terms and conditions of the applicable permit, agreement, or POCA and may subject the Qualified Operator to imposition of citations, administrative penalties, or other applicable remedies. Repeated and pervasive violations by a Qualified Operator's users may subject the Qualified Operator to revocation of its permit or POCA, or other applicable remedies depending on the agreement or authorization.

Enforcement of Parking Requirements:

1. Any Mobility Device belonging to a Qualified Operator that is parked improperly in violation of these parking requirements is subject to citation. Upon issuance of citation, the SFMTA will issue a removal notice to Qualified Operators that its Mobility Device is improperly parked on a sidewalk, Street, or public right-of-way under the jurisdiction of the SFMTA or Public Works, and that the Qualified Operator must remove the Mobility Device within two hours. (See, e.g., Transportation Code § 916(d)(4)). Any Mobility Device that is not removed by the Qualified Operator may be removed by City staff and taken to a City facility for storage at Qualified Operator's expense and may be subject to additional fines as applicable.
2. Notwithstanding 1. above, in certain circumstances, SFMTA will issue a warning notification without citation, provided that a device is not obstructing an accessible path of travel or the intended use of public space or amenity in regards to the following categories:
 - a. Left standing or unattended devices, including but not limited to, "free-locked" devices (i.e., locked only to itself and not to a rack or other infrastructure) not obstructing the accessible path of travel, nor any other location as defined by parking requirements (e.g., amenity, corner, curb ramp, passenger loading zone or bus stop);
 - b. Devices that have tipped over, provided that the device is not obstructing the accessible path of travel, nor any other location as defined by parking requirements (e.g., amenity, corner, curb ramp, passenger loading zone or bus stop); and
 - c. Overcrowding at a rack or corral (shared devices take over 50% of the capacity of the rack or corral), provided that there is no other violation (as defined in this document).

Upon warning notification issued by the SFMTA to remove any Mobility Device belonging to a Qualified Operator, the Qualified Operator shall remove the Mobility Device within two hours. Failure to remove or repark the device in accordance with the notice may result in the issuance of a citation. (See, e.g., Transportation Code § 916(d)(4)).

3. The SFMTA reserves the right to determine certain block faces or geographic areas where Mobility Device parking is prohibited and will notify an SFMTA Permittee or Authorized Operator in advance of the applicable parking restriction(s) in writing.
4. In areas adjacent to any of the following locations, Mobility Devices shall be parked to provide a minimum clearance of 6 feet (with a maximum required clearance of 15 feet, as specified in the table above):

• Parklets	• Pedestrian Throughway Zone
• Entrances and exits	• Transit stops, platforms and islands
• Crosswalks (marked and unmarked)	• Loading Zones (white and yellow curbs)
• Sidewalk areas at crosswalks	• Accessible parking spaces (blue curb)
• Street corners	• Driveways

5. Mobility Device parking may also be restricted in areas other than those under the jurisdiction of the SFMTA or Public Works subject to the determination and rules of the applicable jurisdiction.

Guideline Summary

1. Do not block the accessible path of travel.

- a. Only park on the area of the sidewalk closest to the curb or in specially designated areas, such as bike racks in line with and between fixed objects (trees, trash cans, bike racks, newspaper racks, etc.).
- b. When parked, devices should not obstruct any pedestrian space.
- c. Ensure the device does not protrude into the area where pedestrians walk or roll.
- d. Do not park near corners, on or in front of curb ramps, crosswalks, or anywhere two pedestrian paths of travel intersect.
- e. Do not park devices against building facades.

2. Lock the device to a rack when available. If no racks are available, sign and meter poles may be used.

- a. If no poles are available, the device may be parked in the furniture zone.
- b. Ensure the device is parked upright.
- c. Using Lock-to prevents the device from being knocked over or moved into the accessible path of travel.
- d. When locking to a rack, the device must be within the footprint of the rack. See below for example.
- e. Be sure to leave room for other users.
- f. With the exception of corrals, do not park the device in the street or partially hanging into the street.

3. Do not block access to other amenities.

- a. Do not park Mobility Devices in front of, on top of, or attached to sidewalk amenities and landscaping, such as seating areas, kiosks, ATMs, mailboxes, news racks, trash receptacles, benches or parklets.
- b. Do not park in front of doors, driveways, ramps, stairs, handrails, blocking access to vehicle or bike lanes, near door entry systems, or other access points.
- c. Do not lock devices to trees or on planted areas or features, such as tree wells or planting strips.
- d. Devices must not obstruct access to bus stops or areas where riders wait or get on/off the bus; loading zones marked by a yellow or white curb; or blue accessible parking spaces.
- e. Do not obstruct access to fire hydrants or other fire hose access points, emergency exits, or utility boxes.
- f. Do not park Mobility Devices in front of a permitted Shared Space

4. Do not park on narrow sidewalks.

- a. Do not park on narrow sidewalks that are less than 9 feet wide (approximately three paces).

Do not ride on the sidewalk or on the Embarcadero Promenade

- a. Sidewalk riding is prohibited.
- b. Do not ride on the Embarcadero Promenade, which is between Third Street at Oracle Ballpark and the entry of Pier 45 in Fisherman’s Wharf.
- c. Ride in the street or in bike lanes.

Detailed Guidelines

1. Do not block the accessible path of travel.

The accessible path of travel is the area of the sidewalk where pedestrians walk or roll, including curb ramps. Devices should be parked at a rack or in the furniture zone area of the sidewalk, which is the area closest to the curb and in the shadow of other street items such as planters, mailboxes or garbage cans. Devices should not obstruct any pedestrian space, which blocks access for sidewalk users and may create a tripping hazard.

Do not park near corners, on or in front of curb ramps, crosswalks, or anywhere two pedestrian paths of travel intersect. Devices left in these areas block access for sidewalk users and block ramps that seniors and people with disabilities use to enter or exit the street. Do not park devices against building facades; blind and low vision people use the frontage zone as a guide.

The illustrations below depict the areas where devices should and should not be left.

Figure 1a. – Location of Furnishing Zone Relative to Other Sections of the Sidewalk and Roadway -
Typical Edge Zone width is 2 feet from the curb.

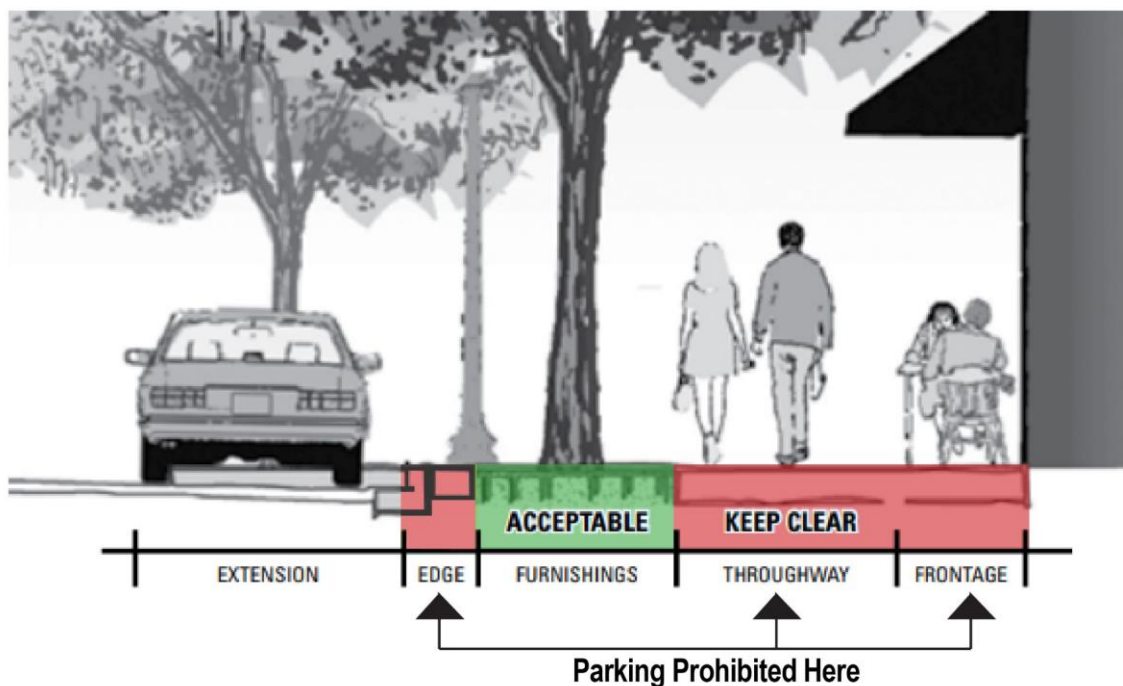


Figure 1b. – Furnishing Zone Illustration –

The area shaded in green illustrates the furniture zone where Mobility Devices are permitted to park. Note how the parked Mobility Device extends beyond the “shadow” of the trash can, and therefore extends outside of the furniture zone and would be considered incorrectly parked and subject to penalty.

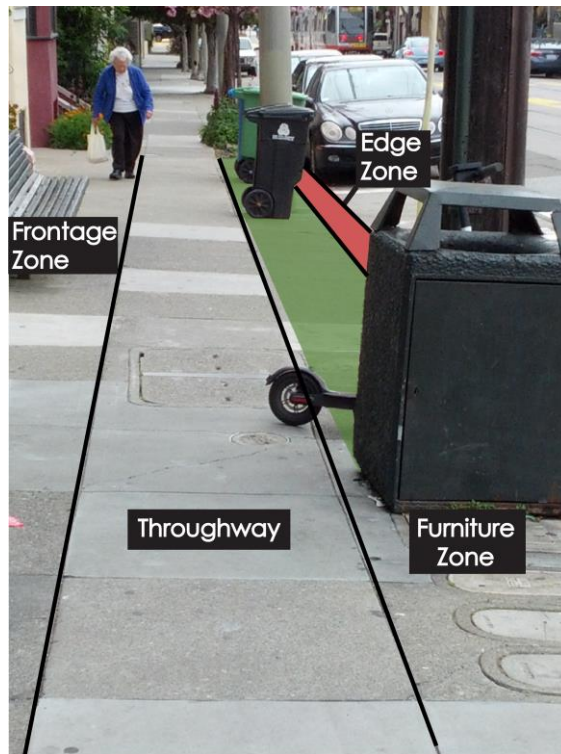


Figure 1c. – Additional Furnishing Zone illustration –

This device also extends outside of the furnishing zone, impeding the throughway.

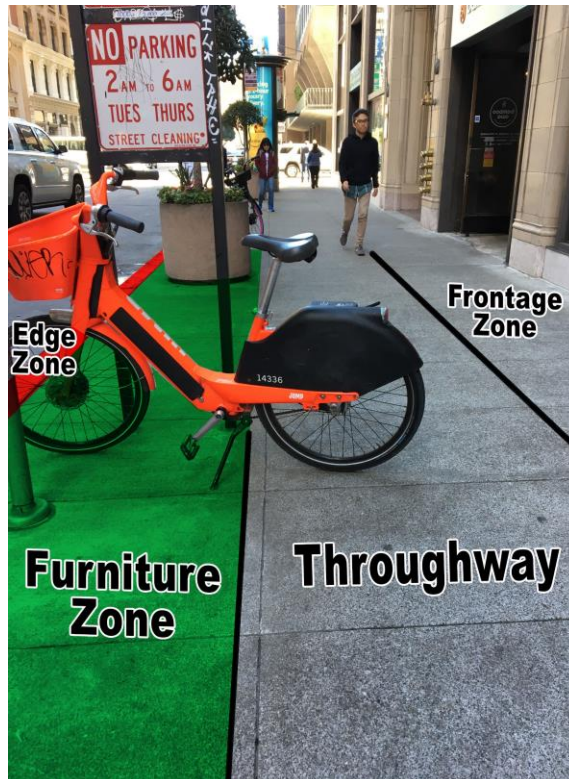


Figure 1d. – Building Façade Illustration – Note how the parked Mobility Device is parked against the building façade, which impedes the path of travel, especially for blind or low-vision pedestrians. This Mobility Device also blocks the entrance to the building by requiring people entering or exiting the building to walk or roll around the device, causing an obstruction and potential tripping hazard.



Figure 1e. - Properly Parked in the Furniture Zone - Below are examples of devices properly parked in the furniture zone. Parking in the furniture zone keeps the accessible path of travel clear.



2. Lock the device to a rack when available. If no racks are available, sign and meter poles may be used.

Best: Locking the device to a rack or in a corral

Better: Locking the device to a sign or meter pole

Acceptable: Leave the device upright in the furniture zone

The device may be parked in the furniture zone, provided that it does not block the accessible path of travel. To avoid tripping hazards, ensure the device is parked upright. Devices that are knocked over create a tripping hazard. Using lock-to (integrated capability to be locked to a bike rack or corral) prevents the device from being knocked over or moved into the accessible path of travel. When locking to a rack, the device must be within the footprint of the rack. With the exception of corrals, do not park the device in the street or partially hanging into the street.

Figure 2a. – Footprint of the Rack Illustration – The devices shaded in green depict devices parked within the footprint of the rack. The device shaded in red depicts a device parked outside of the footprint, which is considered improper. By parking outside of the rack footprint, devices impede the path of travel.



Figure 2b. - Properly Parked in the Furniture Zone - The images below are examples of devices properly parked in the furniture zone. In areas where there are no racks available, devices may be locked to meters and sign poles help keep devices from being knocked over or moved into the accessible path of travel.



3. Do not block access to other amenities.

Do not park Mobility Devices in front of, on top of, or attached to sidewalk amenities and landscaping, such as seating areas, kiosks, ATMs, mailboxes, news racks, trash receptacles, benches and parklets. Devices left in these areas block others from access.

Do not lock devices to handrails. Seniors and people with disabilities may need to use the handrail.

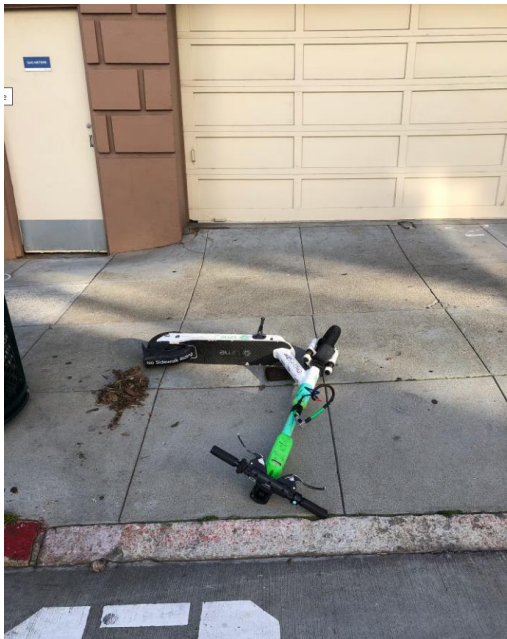
Do not lock devices to trees or on planted areas or features, such as tree wells or planting strips, as this damages the plants. Devices must not obstruct access to bus stops or areas where riders wait or get on/off the bus; loading zones marked by a yellow or white curb; or blue accessible parking spaces. Devices left in these areas restrict access. Do not obstruct access to fire hydrants or other fire hose access points, emergency exits, or utility boxes. Do not park in front of doors, driveways, ramps, stairs, handrails, blocking access to vehicle or bike lanes, near door entry systems, or other access points.

Figure 3a. – Accessible Parking illustration - Mobility Devices must be parked more than 15 feet from curb-side bus zones, transit shelters, transit access points (e.g. stairs, elevators, escalators), yellow commercial loading, white pedestrian loading and blue accessible parking spaces/zones, except where bike parking is provided. Mobility Devices must not be parked adjacent to any blue accessible parking space. Note that the pictured device is parked adjacent to a blue zone, which can impede loading and unloading.





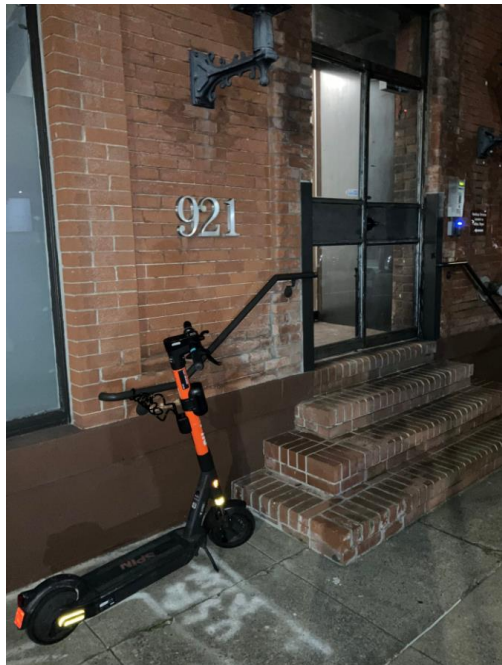
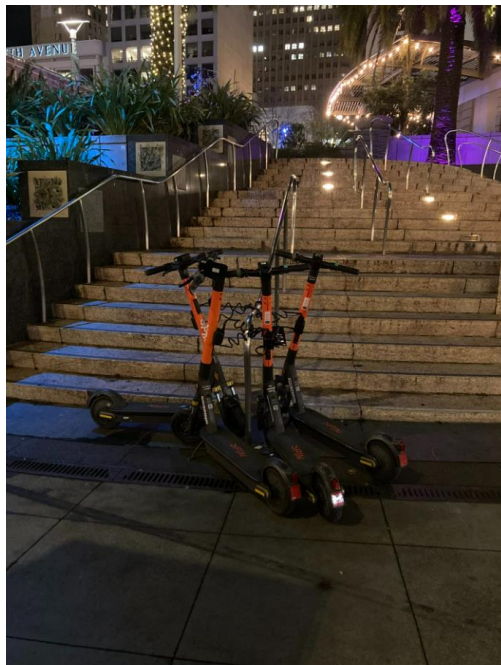
Figure 3b. - Examples of devices blocking access. The first image in figure 3b. shows how an improperly parked device blocks access to curb ramps. Devices parked in this manner interfere with people's ability to use the ramp, particularly for those with disabilities. The two images (bottom) show how devices left in doorways or driveways block access for people entering or exiting a building. Devices should allow people and vehicles to enter or exit doorways, driveways and curb ramps.



The images below show how a device parked in a bus zone interferes with passengers loading or unloading. Devices may also interfere with the deployment of bus accessibility ramps. Devices should not be parked in transit stops or any loading zones, as the devices left in these areas block access. Devices should not be locked to transit shelters, as they prevent people from sitting, may block access to a bus door and are a tripping hazard.



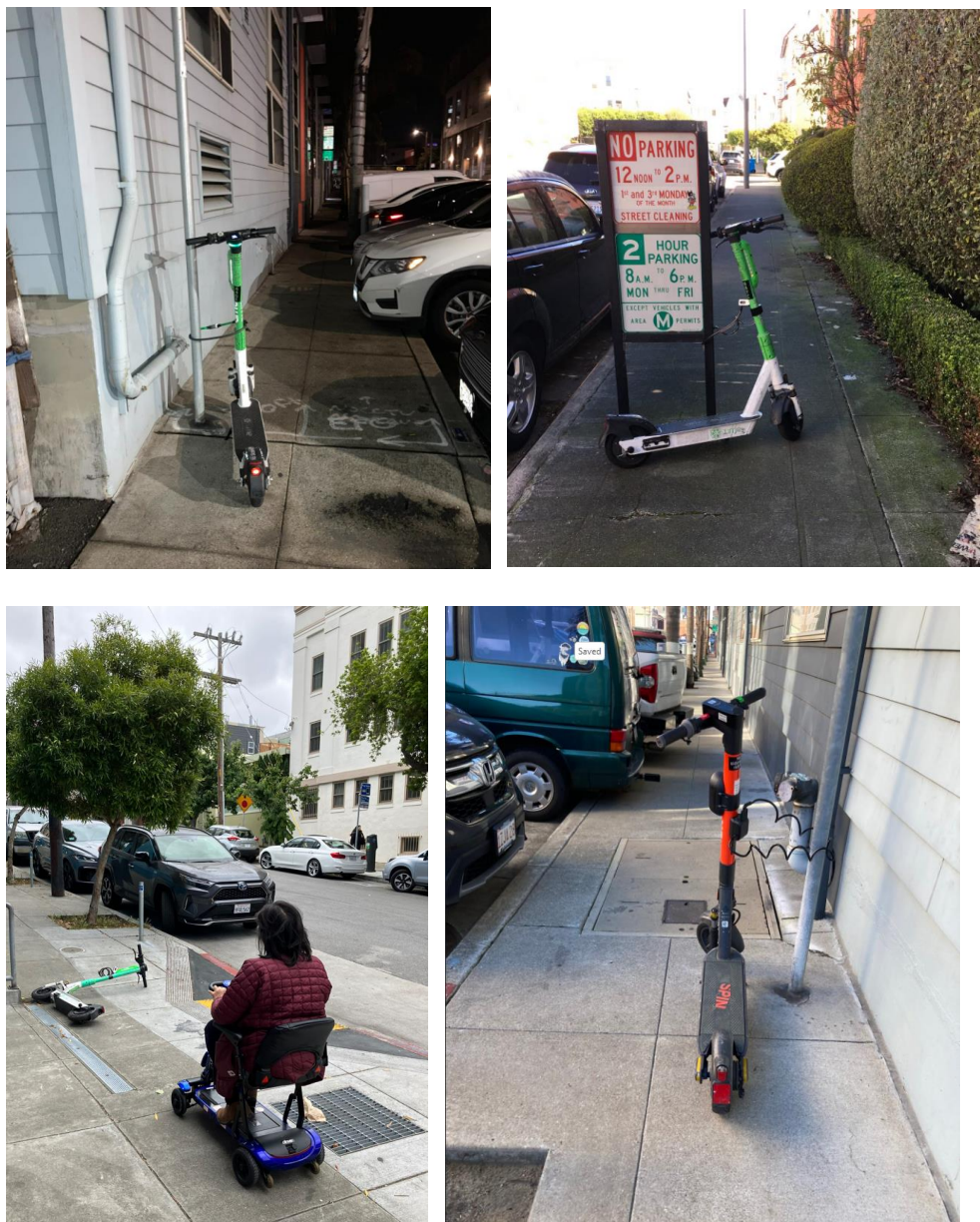
The images below show devices locked to a handrail, which prevents people from using the handrail. Seniors and people with disabilities may need the handrail to ascend or descend the stairs.



4. Do not park on narrow sidewalks.

Do not park on narrow sidewalks that are less than 9 feet wide (approximately three paces). The path of travel on narrow sidewalks is restricted, and devices parked in these areas prevent seniors and people with disabilities from being able to pass.

Figure 4a. – Narrow Sidewalks - The images below show how the accessible path of travel is blocked when devices are parked on a narrow sidewalk under 9 feet in width even when the device is locked to a pole or sign. Wheelchair users and other sidewalk users are not able to pass through the narrow space.



5. Do not ride on the sidewalk or on the Embarcadero Promenade

Sidewalk riding is prohibited. Users who ride devices on sidewalks may be subject to citation by law enforcement.

Do not ride on the Embarcadero Promenade, which is between Third Street at Oracle Ballpark and the entry of Pier 45 in Fisherman's Wharf.

Only ride in the street or in bike lanes.

Figure 5a. - Embarcadero Promenade - Motorized devices including powered scooters and e-bikes are prohibited from riding on the Promenade. Users should only ride in the bike lane or in the street.



Appendix 2

Powered Scooter Share Program Permit: Community Engagement Guidelines and Requirements

Version 03.29.2024

OVERVIEW

This document provides guidance regarding the Community Engagement Plan submitted as part of the Permit Application for the SFMTA Powered Scooter Share Permit Program. These guidelines and requirements instruct Permittee on how to meet public accountability requirements, conduct community outreach, and develop programs for engagement and partnership. Permittees shall be responsible for implementing their Community Engagement Plans for the duration of the permit.

PURPOSE

The SFMTA is committed to inclusive public outreach to ensure that the public is informed and involved in agency decisions that affect their communities. Goals 1 and 7 of the SFMTA's Strategic Plan describes this commitment to equity and engagement:

Goal 1: *Identify and reduce disproportionate outcomes and resolve past harm towards marginalized communities*

Center racial equity in all areas of operations and decision-making to prioritize the advancement of racial, social and transportation equity in every decision taken by the agency

Goal 7: *Build stronger relationships with stakeholders*

The SFMTA aims to cultivate and maintain strong relationships to meet community needs, center racial equity and ensure that the public input is inclusive of Black, Indigenous, People of Color (BIPOC) communities and populations underserved by the transportation sector.

To ensure the Powered Scooter Share program advances these goals, Permittees shall implement their Community Engagement Plans — which are submitted as part of their application — throughout the permit term. Plans should go beyond simple informational outreach. Rather, they should describe a systemic approach to meaningful engagement with a variety of community groups that reaches Powered Scooter Share users and non-users alike. Community Engagement is intended to meet the needs of communities that have experienced historically disparate impacts from transportation systems.

Outreach efforts proposed under the Community Engagement Plan should create spaces for Permittees and community members to understand the benefits and challenges of the Powered Scooter Share program, generate open dialogue on community priorities and the impacts of powered scooters, and source potential solutions to strengthen the program. Permittees shall address community needs and incorporate stakeholder feedback to the extent possible. Particular attention should be given to ensuring that low-income neighborhoods, communities of color, people with disabilities, and historically marginalized areas are adequately served.



COMMUNITY ENGAGEMENT PLAN REQUIREMENTS

Each Permittee's community engagement plan shall include and describe the following elements:

1. **Equitable community engagement.** Identify methods for fostering community participation and tailoring decisions based on the needs of a community. Submit documentation that illustrates previous efforts to deliver equitable outcomes, commitments to culturally sensitive outreach, and planned opportunities (forums, meetings, events, etc.) where community members will have an opportunity to actively participate. Detail plans to expand outreach beyond current users to gain insight into how scooter share impacts non-users, their communities, and their neighborhoods. Describe how Permittee will work to address transportation disparities. Reflect on past community engagement efforts in San Francisco (if applicable) and elsewhere, articulating successes and shortcomings.
2. **Communications strategy.** Develop a strategy that is routinely updated based on changes to services, pricing, service areas, device availability, and company operations. The strategy should provide the public with comprehensive, up-to-date information. Updates must be communicated via multiple platforms.
3. **Multilingual communications services.** Provide a regularly updated multilingual website, a call center, and a mobile application customer interface that is available 24 hours a day, seven days a week. All services and outreach materials must be available in multiple languages approved by the SFMTA.
4. **Accessibility and disability community needs.** Identify a strategy to incorporate input from people with disabilities and older adults into operator services, including the on-street service and Adaptive Scooter Program. The strategy should center feedback from people with a range of disabilities and demonstrate how recommendations will be incorporated into operations. Permittees shall publicize the Adaptive Scooter Program by conducting at least four targeted outreach activities per year.
5. **Community engagement record.** Maintain a record of community engagement efforts, including all meetings and outreach events and any outreach-related materials, including agendas, discussion notes, non-traditional formats, and comments from community stakeholders, along with explanation of how the Permittee responded. This record shall be available upon request from SFMTA or the public.
6. **Scooter safety training.** During the term of the permit, the Permittee shall offer to its customers not less than one in-person or remote safety training class every quarter beginning at permit issuance. The safety training class must address safe scooter riding rules and inform customers that riding on sidewalks is illegal and may result in account suspension or revocation for the duration of the permit. The safety training class shall also inform customers of the Mobility Device Parking Requirements and General Path of Travel Guidelines, set forth in Appendix 1.

RECOMMENDED ENGAGEMENT PROCESS

While not required, the following guidelines outline a few best practices that can be applied to the above requirements, as well as a suggested outline for robust engagement processes.

- **Step 1. Prepare & Plan**
Identify the outcomes, measures, and deliverables your efforts will strive to generate.
- **Step 2. Partner Up**
Identify and establish working partnerships with Community-Based Organizations and neighborhood associations that serve affected communities and stakeholders.
- **Step 3. Reach Out**
Contact business owners, residents, and other stakeholders. Go where the people are: reach out at pre-existing local meetings, community centers, and weekend events.
- **Step 4. Diversify Activities**
Define and clearly communicate objectives and parameters. It's best to listen first, then conduct other activities such as workshops, focus groups, and collaborative meetings.
- **Step 5. Analyze & Act**
Evaluate notes and materials gathered through outreach. Summarize, share back, and create a plan to implement actionable findings.

Additional best practices include, but are not limited to:

- Conduct regular public listening sessions throughout San Francisco to solicit input that can be incorporated into the company's operations;
- Establish a Community Board comprised of members of the public representing various neighborhoods and community groups, with meeting minutes and key takeaways to be shared with the SFMTA;
- Hold public outreach sessions outside of traditional work hours, or on weekends;
- Identify existing community meetings or events, and inquire about holding outreach sessions at those times and locations;
- Provide complimentary food and/or childcare during meetings;
- Be clear about what you are seeking feedback on, and what is not subject to change; and
- Clearly communicate major takeaways and next steps: how will feedback be incorporated, and/or how will updates be communicated back to the community.

PARTNERING ORGANIZATION EXAMPLES

Examples of organizations with which to engage for feedback, and to consider for partnerships include, but are not limited to:

- AccessSFUSD
- BMAGIC
- Calle 24
- Chinatown Community Development Corporation
- Chinese for Affirmative Action
- Chinese Newcomers Association
- Chinese Progressive Association
- Daylaborer Association
- Senior and Disability Action
- Excelsior Action Group
- Excelsior Works
- Filipino-American Development Foundation
- Healthy Southeast
- Mission Asset Fund
- Mission Economic Development Association
- Mission Neighborhood Centers
- MoMAGIC
- Independent Living Resource Center
- PODER
- Safe Passage
- SF Rising
- SOMA Pilipinas
- SOMCAN
- Tenderloin Community Benefit District
- Tenderloin Neighborhood Development Corporation
- The Village Project
- United to Save the Mission
- Mayor's Office on Disability

Appendix 3

Powered Scooter Share Program Permit: Data Reporting Guidelines and Requirements

Version 03.29.2024

OVERVIEW

This document describes the SFMTA's data reporting guidelines and requirements, including reporting frequency and transmission mechanism(s) for the Powered Scooter Share Permit program. These guidelines and requirements are consistent with San Francisco's [Guiding Principles for Emerging Mobility Services and Technologies](#) (Guiding Principles), which aim to ensure that new mobility services such as the Powered Scooter Share program support the City's commitment to improving quality of life and the environment by, among other things, reducing greenhouse gas (GHG) emissions, prioritizing affordable, low-impact mobility options, and improving accessibility throughout the City.

PURPOSE

The SFMTA is committed to providing safe, reliable, sustainable, and equitable transportation choices for the public, now and in the future. The SFMTA has established these data requirements to allow staff to analyze how the Powered Scooter Share program aligns with the Guiding Principles for Emerging Mobility, which are summarized as they pertain to the Powered Scooter Share program below:

Collecting and analyzing the required data enables the SFMTA to:

- Manage and evaluate the program;
- Manage the public right-of-way;
- Enforce Permittee's adherence to permit terms and conditions; and
- Engage in policy development and planning efforts consistent with the SFMTA's Guiding Principles and strategic goals.

The data that SFMTA collects is de-identified and anonymized. The SFMTA recognizes that some of this data may be considered sensitive and will aggregate data temporally and spatially when sharing this information outside of the agency. Note that reports may be posted online by the SFMTA consistent with this approach, subject to public disclosure laws. See Section 71 of the Permit Terms and Conditions.

REPORTING GUIDELINES: DATA TRANSMISSION MECHANISM AND FREQUENCY

Required data must be transmitted to the SFMTA at the specified frequency and via the following reporting mechanisms:

1. A data feed built according to the Mobility Data Specification (MDS) as well as a publicly available General Bikeshare Feed Specification (GBFS) feed;
2. Monthly reports shall be submitted through the Scooter Permittee Salesforce Portal;
3. Responses to urgent incidents, including collisions and 311 complaints, shall be reported immediately through the Scooter Permittee Salesforce Portal.



4. Certain as-needed information shall be transmitted, upon request, through the Scooter Permittee Salesforce Portal or through such other data transmission mechanisms as specified by the SFMTA.

1. Mobility Data Specification and General Bikeshare Feed Specification

The SFMTA collects data on scooter devices and trips and provides data to Permittees through data feeds built according to the Mobility Data Specification (MDS). MDS is the industry standard for mobility providers and public agencies to exchange data and has been widely used since the beginning of the scooter-share industry. The Open Mobility Foundation (OMF) manages MDS, and SFMTA is a founding and active member of OMF. The SFMTA encourages Permittees to also contribute to future changes to MDS through OMF's public process.

Permittees are required to provide SFMTA with accurate and authenticated data about its entire permitted fleet through documented Application Programming Interfaces (APIs) built to the latest Mobility Data Specification (MDS) version 2.0.1 available at:

<https://github.com/openmobilityfoundation/mobility-data-specification>

Permittee must provide data for all devices operating within the City and County of San Francisco, and not just the Permittee's Service Area, defined as the area in which Powered Scooters may deploy, park or otherwise operate as shown in the Scooter Share Service Area Map linked in the Distribution Guidelines and Requirements, Appendix 4. Permittees shall retain data and keep it accessible via all required endpoints for at least two years after it is generated.

The MDS standard establishes a broad array of data elements. The SFMTA only requires a subset of the MDS data elements, as described below.

The SFMTA requires Permittees to provide data through the following MDS APIs and endpoints:

Data Provided by Permittee

Provider API:

- Events endpoint
- Telemetry endpoint
 - Populate location_type field when known, e.g., 'sidewalk' to indicate sidewalk riding
 - Trips endpoint
 - Optional fields in spec required:
 - actual_cost
 - standard_cost
- Reports endpoint
 - Required special group types:
 - all_riders
 - adaptive_scooter
 - low_income
 - Relevant geographies identified in Policy API – Requirements endpoint
- Vehicles endpoint
 - Seated scooters should be identified in the Vehicles endpoint data by indicating that a device has accessibility_attributes = 'adaptive'
- Vehicles/Status endpoint

Agency API:

- Events endpoint
- Telemetry endpoint
- Trips endpoint
 - Optional fields in spec required:
 - actual_cost
 - standard_cost

MDS Service Level Standards

SFMTA requires the following service level standards for the availability of and transmission of MDS data to ensure timely reporting:

- **Latency:** data will be pushed via the Agency API, as defined in MDS, and available in the Provider API, as defined in MDS, (as applicable) no more than one hour after events have occurred.
- **Availability:** the API endpoints will be available 99.5% of the time over the course of a year.
- **Response Time:** 85% of Transmission Control Protocol (TCP) API replies within 1.5 seconds, and 99.5% of TCP replies within 4 seconds of receiving a request over the course of a month.

Data Provided by SFMTA

The SFMTA provides data in a standard format to help Permittees conform to SFMTA's requirements. The SFMTA requires that Permittees pull data from these APIs.

- Geography API (includes definitions of areas such as Key Neighborhoods and no parking zones)
 - Available at:
 - services.sfmta.com/tams/mobility/geographies
 - <https://data.sfgov.org/Transportation/SFMTA-Mobility-Data-Specification-Geography/yfsn-wn3u>
- Policy API – Requirements endpoint (includes these data specification requirements in a machine-readable form)
 - The latest version of SFMTA's requirements file can be found at: <https://github.com/openmobilityfoundation/agency-program-requirements/tree/main/requirement>

General Bikeshare Feed Specification (GBFS)

The General Bikeshare Feed Specification, known as GBFS, is the open data standard for shared mobility, such as bikeshare and scooter share. GBFS makes real-time data feeds in a uniform format publicly available online, to standardize how customers are able to locate a rentable device.

The SFMTA requires Permittees to provide data in an open GBFS data feed so that customers can easily find scooters available for rent via a variety of applications.



Permittees shall provide a publicly accessible API that conforms to the GBFS version 2.3, or newer, available at:

<https://github.com/MobilityData/gbfs>

The GBFS API must contain the following endpoints and all fields required under the GBFS specification:

- `gbfs.json`
- `system_information.json`
- `free_bike_status.json`
- `vehicle_types.json`

The SFMTA has also established the following requirements regarding the General Bikeshare Feed Specifications:

- Permittee must make the API available to the public on the internet without requiring authentication.
- Permittee shall inform SFMTA of the URL for the `gbfs.json` endpoint prior to deploying vehicles. Permittee must notify SFMTA at least 30 days prior to changing the URL of the `gbfs.json` endpoint.
- Upon release of a new version of GBFS, Permittee must update their API to the new version within 90 days.
- Permittee shall register their system with the North American Bikeshare Association GBFS systems catalog at:
<https://github.com/MobilityData/gbfs#systems-catalog---systems-implementing-gbfs>
- The public shall be allowed to use, modify, and share the data from the API without restriction beyond attribution.

MDS and GBFS Updates

The SFMTA may update the MDS and GBFS standards from time to time during the permit term and will notify Permittees in writing of any such update. Permittees shall comply with any updated standards within 90 calendar days of written notice from the SFMTA.

2. Monthly Reports - Permittee Salesforce Portal

The SFMTA requires Permittees to submit monthly reports via the Permittee Salesforce portal. The monthly reports shall include the data listed below and the SFMTA may choose to add or remove specific data requirements from these reports.

The SFMTA will provide written notice of any changes to the monthly reporting requirements or reporting mechanism. Permittee shall certify, under penalty of perjury, that the monthly reports it submits are accurate and complete.

Disability Access-related data

The Adaptive Scooter Program supplements the seated scooters included in the on-street fleet by providing the disability community with a rental program tailored to their needs.

Adaptive Scooter Program

- Number of trips per month
- Number of unique riders per month
- Average request response time per month
- Average cost per trip
- Other Adaptive Scooter Program data upon request

3. Immediate Disclosure - Permittee Salesforce Portal

Collision data and 311 complaints require immediate disclosure in the Permittee Salesforce portal.

Safety

Collision Information

- Collision Information: Date, time, street location (GPS, reported address, or cross-streets), intersection (y/n)
- Collision Severity: Third-party involvement (y/n), vehicle types involved, reported injury (y/n), severity of injury, helmet use (y/n), hospital visit (y/n)
 - Note: Severity classifications should align with definitions from [the American National Standard](#) to the extent possible.
- Source: Reported by (member, observer, etc.), police case number, or other relevant information

311 complaints

- The City has integrated the 311 complaint system with the Permittee Salesforce Portal and Permittees are required report on actions taken in response to complaints.
- The following complaint information must be provided through SFMTA's on-line portal:
 - Action taken in response to complaint
 - Supporting photographic evidence

In the event the SFMTA's Permittee Salesforce portal is not available, the Permittee must provide the following complaint information through email or another mechanism, as determined by the SFMTA:

- Ticket Info: Ticket ID, date, time, location, 311 case, device identifier
- Complaint Information: Type, nature of complaint, minutes until response, etc.
- Source: Mobile app, website, call, email, etc.

4. Upon Request - Permittee Salesforce Portal

Scooter Permittees shall, within 72 hours of a request from the SFMTA, report any the following data elements through the Permittee Salesforce portal or other format specified by the SFMTA.

Equitable Access-related data

Low-Income Participation

- Number of trips,
- average cost of trips,
- Number of low-income program participants,
- Number of free helmets provided to low-income program participants, if applicable

Sustainability-related data

Operational Activities

- Non-revenue vehicle types (electric, diesel van, etc.)

Charging Location(s), Energy Source(s), & Use

- Description of the location(s)/building(s) and specific room(s) where the scooter will be charged
 - Address(es) where charging by employees and/or contractors occurs.
 - Whether the room require(s)(d) any modifications to the electrical outlets or system
 - Number of scooters charged in this space at one time.
 - Confirmation that charging locations meet San Francisco Fire Code §325.
- Fleet-wide average number of kilowatt hours per mile per scooter.
- Fleet-wide average lifespan of powered scooters.

Zero Waste Goals

- Number of scooters lost or missing on the last day of the month.
- The number, size and chemistry of scooter batteries disposed, location of disposal, and disposal receipt(s)
- The number, size, and chemistry of non-working batteries in storage, either on-site at operations facilities, or at off-site warehouse(s), not yet disposed.

Accountability-related data

Complaint Reporting

- Any complaints received directly by Permittee and not already reported to the SFMTA through the 311 response process
- Number of users with first safety-related issue
- Number of users with second safety-related issue
- Number of users with third safety-related issue
- Number of users suspended for safety-related issue

Maintenance Reporting

- Maintenance ID, date, time, device ID, maintenance type

Collaboration

The City will track community outreach conducted by Permittees through the Permittee Salesforce portal upon request:

- Event Information: Date, location, company representatives, hosting organization, type, safety training (y/n), outreach description
- Number of community outreach events

Sustainability-related data

The sustainability-related data requirements allow the SFMTA to evaluate the extent to which the Powered Scooter Share program is helping the City achieve its climate goals.

Operational Activities

- Vehicle Miles Traveled (VMT) for operational activities reported for both employees and independent contractors and including non-revenue VMT (estimated VMT data is sufficient)
 - Total monthly non-revenue VMT
 - Cumulative Non-Revenue VMT

Labor-related data

The SFMTA requires Permittees to submit labor-related data, as needed, to allow for analysis of compliance with requirement and adherence to Permittee's labor harmony plan as submitted in their application.

- Fair Pay: Net hourly median earnings for field workers minus job-related expenses
- Net value of mobility service operator benefits (by employee vs. independent contractor)
- Net hourly median earnings minus job-related expenses
- Local Hire: Number of total employees, number of employees with Bay Area residency 7+ years (by employee vs. independent contractor)

The SFMTA may request additional information from Permittees in other forms (e.g., survey of users) as part of the terms and conditions of the permit program and will make any such requests in writing.



Appendix 4

Powered Scooter Share Program Permit: Distribution Guidelines and Requirements

Version 03.29.2024

OVERVIEW

This document provides requirements for the distribution of Powered Scooters in Permittee's fleet under the Powered Scooter Share Program and includes guidelines for service in specific neighborhoods. Permittees must structure operations in accordance with these requirements and guidelines to offer comprehensive service such that powered scooters may be a safe, equitable and reliable travel option in San Francisco. This document may be amended from time to time.

PURPOSE

Major commute and land use patterns tend to create an imbalance in shared fleet distribution toward a central business district. The SFMTA recognizes that rebalancing scooters is crucial to successfully integrate them into San Francisco's broader transportation system and to avoid clutter that makes the pedestrian right of way inaccessible.

This imbalance can compound a lack of transportation options in historically underserved communities. Deliberate redistribution is required to support the Powered Scooter Share Program in achieving its equity goals, and to ensure this service is a convenient travel option throughout San Francisco.

The SFMTA's Distribution Requirements seek to accomplish the following:

1. Make powered scooter share a convenient travel option throughout the City to complement fixed transit service by serving as a last-mile solution;
2. Make powered scooter share a reliable transportation option for trips outside of regular commute times and patterns;
3. Make powered scooter share a viable transportation option in Key Neighborhoods that encompass Communities of Concern¹ that have been historically underserved by travel mode options; and,
4. Establish metric-based practices, which allow the SFMTA to regulate and manage operators to establish Powered Scooter Share as a reliable transportation option.

¹ The Metropolitan Transportation Commission (MTC) defines Communities of Concern (CoCs) as census tracts that have a concentration of both minority and low-income residents, or that have a concentration of low-income residents and any three or more of the following six disadvantage factors: persons with limited English proficiency, zero-vehicle households, seniors aged 75 years and over, persons with one or more disability, single-parent families, and renters paying more than 50 percent of their household income on housing



DISTRIBUTION REQUIREMENTS

This section describes the distribution requirements, which are primarily intended to prevent an over-concentration of scooters in the Downtown Core, and to ensure service availability in Key Neighborhoods, which include Communities of Concern that are outside the downtown core. There are three distribution requirements: 1. Fleet Deployment Threshold; 2. Key Neighborhood Service Coverage; and 3. Downtown Cap.

Fleet Deployment Threshold

Permittees shall consistently maintain 50% or greater deployment of their total permitted fleet size, which is the "Required Fleet Deployment Threshold." As described in the "Methodology of Counting Scooters" section, the number of Revenue Devices at the 8:00am snapshot of each day will be considered in analyzing compliance with this threshold. The goal of this is for Permittees to reliably deploy more than half their permitted fleet, and to ensure an adequate level of customer services for riders.

During the term of the permit, any Permittee who fails to meet this threshold for 25 days per month may be found in violation of the permit terms and conditions.

Key Neighborhood Service Coverage

The Key Neighborhood Service Coverage requirement considers distribution across area and time so that scooters are distributed to provide most of the city (percent of area) with easy access (~5-min walk) to a scooter for most of the day (percent of time). The Key Neighborhood Service Coverage requirement utilizes the hourly snapshots described in the "Methodology of Counting Scooters Section."

For area, every scooter in an hourly snapshot with a last known status of "available" in a fleet will be given a ¼-mile circle around them, which approximates a 5-minute walking distance, which is considered "Scooter Coverage." The total Scooter Coverage for all available scooters in a fleet is the Fleet Coverage. The Fleet Coverage divided by the total Service Area is the Percent Area Coverage.

For time, the hourly snapshots are used. Operators will meet the requirement if Percent Area Coverage is greater than or equal to 60% coverage for 60% of the hourly snapshots in a day (i.e., 10 of the 16 hourly snapshots from 6am to 10pm).

Downtown Cap

To prevent an over-concentration of scooters in the downtown area and to encourage availability in communities outside downtown with fewer mobility options, no more than 40% of Permitted Scooters shall be deployed within the Downtown Core at any time, unless otherwise authorized by the SFMTA.

SERVICE AREAS

The following section provides a brief description of the key Service Areas and includes links to maps that display the geographic boundaries of each defined area.

Key Neighborhoods include:

- Embarcadero: located along the northeastern waterfront of the Port of San Francisco.



- Mission: located inland in the center-east of the city and west of Highway 101, covering San Francisco General Hospital.
- Richmond: located in the northwest side of the city, north of Golden Gate park and divided into inner (eastern) and outer (western) key neighborhoods.
- Southeast: located along the southeastern border of the city, covering parts of Bayview, Hunter's Point, and Visitacion Valley neighborhoods.
- Southwest: located along southern border of the city, covering parts of City College of San Francisco and San Francisco State University as well as Excelsior, Ingleside, and Merced Heights neighborhoods.
- Sunset: located in the west side of the city, south of Golden Gate park and divided into inner (eastern) and outer (western) key neighborhoods.
- Western Addition: located inland in the north center of the city just west of the Downtown Core and Civic Center neighborhood, covering parts of the Filmore District and Japantown neighborhoods.

The geographic boundaries of the Key Neighborhoods and the Downtown Core are displayed on the Powered Scooter Share Service Area Map and can be accessed [here](#).

The underlying data that describes the geographic boundaries displayed in the Powered Scooter Share Service Area Map can be obtained by downloading data from the SFMTA's Mobility Data Specification (MDS) Geography API, which can be accessed [here](#) or [here](#).

In order to determine the exact boundaries of the Downtown Core and Key Neighborhoods, the Geography API should be filtered for records where the attribute 'DESCRIPTION' contains the value 'Powered Scooter Program' because the MDS Geography API contains additional zones beyond the Service Areas.

METHODOLOGY OF COUNTING SCOOTERS

The following section describes SFMTA's methodology for counting scooters and measuring compliance with:

- Fleet Deployment Threshold: maintain 50% or greater deployment of Permittee's total permitted fleet size
- Key Neighborhood Service Coverage: 60% deployment of devices for at least 60% of the time per month in Key Neighborhoods
- Downtown Cap: No more than 40% of the fleet may be deployed in the Downtown Core, unless otherwise approved by the SFMTA
- Citywide Cap: specifies the total number of allowable devices allowed under the Permit

The SFMTA creates hourly snapshots of scooters' last known location and status to facilitate the SFMTA's evaluation of whether a Permittee has satisfied the Distribution requirements. The hourly snapshots are described more fully below.

Pursuant to the Permit Terms and Conditions, each scooter is required to be equipped with a device capable of providing location data. Permittees must provide the SFMTA with a data-sharing API compatible with MDS as required by the Data Reporting Guidelines and Requirements, Appendix 3. Data must be provided for all devices in a Permittee's permitted fleet operating within the City and County of San Francisco.

MDS provides Events data for each device, including a record every time the state of a scooter has changed, including time, location, and status.



There are four types of possible statuses when a device is in the public right of way:

1. Available (just completed a ride, available for rent),
2. Reserved (e.g., reserved by a customer but not yet on a trip),
3. On Trip (customer riding scooter)
4. Non-operational (e.g., due to low battery or other maintenance reason scooter is unavailable to rent).

The SFMTA takes an hourly snapshot of the last known location and status of each device_id reported at the top of every hour (e.g., 8:00am, 9:00am, 10:00am). (See Data Reporting Guidelines and Requirements, Appendix 3.) The SFMTA analyzes event data for every permitted device for 15 days from each hourly snapshot.

If a device's last known status is "on trip," "reserved," or "available," the SFMTA counts it as a "Revenue Device." Revenue Devices are devices either available to customers or currently in use by a customer. The number of Revenue Devices at the 8:00am snapshot of each day will be considered in analyzing compliance with the Required Fleet Deployment Threshold set forth below since the goal of this threshold is to ensure that there are enough devices available to meet customer demand.

If a device's last known status is "on trip," "reserved," "available," or "non-operational," then the SFMTA will count it as an "On-Street Device," which is defined as a device deployed in San Francisco, regardless of whether or not it is in service. The number of "On-Street Devices" at the 8:00am snapshot of each day will be considered in analyzing compliance with the Key Neighborhoods, citywide, and downtown maximum caps on devices as stated in these requirements and in the permit terms, since the goal of the maximum caps is to ensure that there are no more than a certain number of scooters on the street, regardless of whether they are available to the public. The SFMTA includes non-operational devices in this metric since a scooter that requires maintenance but is still on the street may present safety and/or accessibility issues. If a device's last known status is older than 15 days from the hourly snapshot on a given day, then it will not be counted either as a Revenue Device or On-Street Device.

FLEET EXPANSION

The SFMTA may expand a Permittee's maximum permitted fleet size if the Permittee demonstrates consistent deployment of its existing fleet and meets equity-based metrics and standards, with the approval of the Director of Transportation.

A maximum of 500 scooters can be permitted per expansion request. Permittees may petition the SFMTA for a fleet expansion no more than once every two months. At times of a local emergency, declared by the Mayor of San Francisco; a major public transit disruption, as stated by SFMTA; or major event(s) occurring in San Francisco without sufficient public transit service to meet the anticipated demands; the SFMTA may request Permittees to expand their fleets on a time-limited basis to serve as mutual aid for transit and to help meet travel demand. If the SFMTA grants a fleet expansion request, such permission is conditional based on the Permittee's continued demonstrated compliance with SFMTA permit terms and conditions.



The SFMTA may consider the following metrics and standards, among others, when considering whether to grant fleet expansion:

Fleet Deployment

Permittee demonstrates consistent, reliable service and meet distribution requirements.

Rider Accountability

The SFMTA will review the Permittee's implementation of their mechanisms to deter their users from sidewalk riding as proposed in their Plan for Safe Riding and Parking submitted as part of their application, and compliance with other rider accountability requirements.

Low-Income Plan Participation

Permittee demonstrates compliance with Low-Income requirements.

Labor Harmony

The SFMTA will review and confirm Permittee's compliance with its Labor Harmony plan prior to granting a fleet size increase.

Reporting Compliance

Permittee demonstrates compliance with reporting requirements detailed in Appendix 3. The reports must demonstrate compliance with the permit Term and Conditions, to the Agency's satisfaction.

OTHER GUIDANCE

Inclement Weather and Air Quality Caveat

Given the unknown safety implications of operating powered scooters in inclement conditions, the SFMTA allows for an 'Inclement Weather Caveat'. While Permittees may still choose to deploy some or all their permitted fleet, they shall not be held to deployment and distribution standards on any day where rain accumulation reaches 1/10th of an inch over the course of 24 hours, as reported by the National Weather Service.

Additionally, to protect the health and safety of operations staff, Permittees shall also not be held to deployment and distribution standards on any day where the observed Air Quality Index (AQI) in San Francisco exceeds 150 ("Unhealthy"), as reported by the Environmental Protection Agency on www.airnow.gov, OR on any day where the forecast in the preceding day indicated that AQI would exceed 150 (for example, a forecast produced on Monday showing Tuesday's AQI exceeding 150).

Transit Connectivity & Mutual Aid

While not required, distributing scooters peripheral to transit lines and key transit stops, stations, and hubs may increase the likelihood of Powered Scooter Share services being used as a last-mile solution. Powered Scooter Share also stands to serve as a helpful solution in the event of majorly impacted transit service. The SFMTA may request Permittees to deploy along key transit routes or at key locations during emergencies or special events.



Appendix 5

Powered Scooter Share Program Permit: Sustainability Guidelines and Requirements

Version 03.29.2024

OVERVIEW

This document provides guidelines for complying with the requirements and specifications of the Powered Scooter Share Permit Program which relate to the agency-wide vision outlined by the SFMTA Sustainability and Climate Action Program, improving the quality of life and the environment of San Francisco and the region. These requirements are consistent with the City's Guiding Principles for Emerging Mobility Services and Technologies, which aim to ensure that emerging services, such as Powered Scooter Share, support the city's commitment to improving the quality of life and the environment by reducing greenhouse gas (GHG) emissions and expanding access to zero- or low-emissions transportation options. The following guidelines instruct Permittees on how to avoid or mitigate negative environmental externalities associated with Powered Scooter Share programs and clarify best practices for monitoring and sharing relevant data with the SFMTA.

PURPOSE

The existing Powered Scooter Share Pilot Program has yielded notable public benefits as a useful component of San Francisco's transportation system. Findings from the [Powered Scooter Evaluation Report](#) suggest that 27% of scooter share users utilize scooter share services to connect to and from transit. Additionally, scooter share availability deterred individuals from using other, environmentally unfriendly modes of travel, such as driving alone (6%) or taking a ride-hail vehicle (26%). The ability for powered scooter shares to replace some of these trips and serve as an effective, low-emission, last-mile mode of travel, can alleviate some of the environmental harms caused by the transportation sector. Further commitment to SFMTA goals and incorporation of environmentally friendly protocols can lead to further evidence of the positive environmental impact of the scooter share program.

The SFMTA is committed to improving the quality of life and the environment in San Francisco. Both the SFMTA's Strategic Plan and the Transit First Policy describe this commitment to sustainable transportation:

SFMTA Strategic Plan Goals and Objectives

Goal 4: Make Streets Safer for Everyone

Goal 5: Deliver Reliable and Equitable Transportation Services

Goal 6: Eliminate Pollution and Greenhouse Gas Emissions by Increasing Use of Transit, Walking, and Bicycling



Transit First Policy Principles

- To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
- Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile.
- Decisions regarding the use of limited public street and sidewalk space shall encourage the use of public rights of way by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and improve public health and safety.
- The City and County shall encourage innovative solutions to meet public transportation needs wherever possible and where the provision of such service will not adversely affect the service provided by the Municipal Railway.

The Sustainability Guidelines and Requirements strive to accomplish the following:

1. Ensure Permittees incorporate best practices in scooter design that maximize scooter safety and energy efficiency;
2. Ensure Permittee operations prioritize efficient energy management and utilize clean energy sources; and
3. Ensure Permittee comply with the City's Zero Waste, SF Fire Code Section 325, and Producer Responsibility Policies for all scooter-related parts.

SUSTAINABILITY GUIDANCE

Permittees shall adhere to the following in their Recharging, Maintenance, Cleaning, and Sustainability Plan:

1. Device Best Practices
 - a. Incorporate Swappable Battery Design
 - i. Swapping batteries on-site stands to increase the longevity of powered scooter devices, improve efficiency by reducing the need to remove scooters from the street for servicing, and decreases fire risks and other hazards from unsupervised contractor charging in private homes.
 - b. Safety Certification Requirements
 - i. Proof of compliance with San Francisco Fire Code §325, and
 - ii. Test results from a qualified independent lab demonstrating each model scooter put into service meets or exceeds the California Vehicle Code.
2. Energy Usage and Efficiency
 - a. Use clean energy sources, such as the 100% greenhouse-gas-free energy offered through the City's CleanPowerSF program.
 - b. Incentivize or require devices to be recharged within San Francisco.
 - c. Research and invest in durable powered scooters to increase fleet's longevity and to minimize scooter production environmental footprint.



- d. Streamline recharging/redistributing activities to minimize Non-Revenue VMT to the extent possible and consider employing non-auto modes (i.e. cargo bicycle) for non-revenue/operations activities.
3. Transit-Friendly Best Practices
 - a. Provide a consistent, environmentally friendly transportation option, that can replace automotive trips.
 - b. Employ variable rates, gamification, or other incentives to prioritize short trips, maximize fleet availability, and discourage an overconcentration of scooters.
 - c. Offer and promote incentives to start or end trips along key transit lines or at transit hubs and encourage connections to transit as a last-mile solution.
 - d. Establish a plan for modifying service to facilitate travel throughout the City in the event of a major issue that interrupts regular transit service.
4. Zero-Waste and Producer Responsibility
 - a. Take responsibility for scooters throughout their life cycle, including:
 - i. Ensure scooter fleet is appropriately sized to maintain minimum number of active scooters without excessive consumption/waste;
 - ii. Proactively reduce the need for new scooters through repair, resale, or redistribution for reuse;
 - iii. Reuse scooter parts where possible;
 - iv. Properly manage and dispose of all hazardous components including batteries following City protocol as identified by SFFD, SF Fire Code Section 325, or SFE; and
 - v. Recycle all components of non-working scooters to the maximum extent possible.
 - b. Designate a company contact person/employee to collect Permittee's scooters that are lost, damaged, vandalized, underwater, or abandoned on the street; collected by city staff, recovered, or impounded; or that end up in the solid waste stream.


Certificate Of Completion

Envelope Id: 07E3C27F1836499CB53315820D9FBECE	Status: Completed
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Source Envelope:	
Document Pages: 45	Signatures: 2
Certificate Pages: 2	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Disabled	Mingyang Wang
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	1 South Van Ness, 3rd Floor
	San Francisco, CA 94103
	Mingyang.Wang@sfmta.com
	IP Address: 75.10.236.2

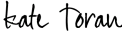
Record Tracking

Status: Original	Holder: Mingyang Wang	Location: DocuSign
6/28/2024 11:08:49 AM	Mingyang.Wang@sfmta.com	

Signer Events

Signer Events	Signature	Timestamp
Brit Moller brit.moller@spin.pm Security Level: Email, Account Authentication (None)		Sent: 6/28/2024 11:19:38 AM Viewed: 6/28/2024 12:02:50 PM Signed: 6/28/2024 12:03:02 PM
	Signature Adoption: Pre-selected Style Using IP Address: 67.188.179.249	

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Kate Toran kate.toran@sfmta.com SFMTA Security Level: Email, Account Authentication (None)		Sent: 6/28/2024 12:03:04 PM Viewed: 6/28/2024 12:15:12 PM Signed: 6/28/2024 12:17:54 PM
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Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/28/2024 11:19:38 AM
Certified Delivered	Security Checked	6/28/2024 12:15:12 PM
Signing Complete	Security Checked	6/28/2024 12:17:54 PM

Envelope Summary Events	Status	Timestamps
Completed	Security Checked	6/28/2024 12:17:54 PM

Payment Events	Status	Timestamps
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