

THIS PRINT COVERS CALENDAR ITEM NO. : 11

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Sustainable Streets

BRIEF DESCRIPTION:

Amending Transportation Code, Division II to create new definitions for Shared Electric Moped Organization, Shared Electric Moped, and Shared Electric Moped Parking Permit program and establish permit fees and permit program requirements, and recommending that the Board of Supervisors approve amendments to Transportation Code, Division I.



SUMMARY:

- The SFMTA initiated a pilot program in August 2015, which exempted electric mopeds from time limit restrictions in Residential Parking Permit (RPP) areas under certain conditions.
- The SFMTA proposes a new parking permit program for on-street shared electric moped parking based upon the pilot program.
- Creating an on-street permit program specifically for shared electric mopeds provides another affordable, equitable and sustainable mode choice, consistent with the city's Transit First policy and the SFMTA Strategic Plan goals.
- The proposed program would be open to participation by any entity which meets the definition of Shared Electric Moped Organization and the requirements and conditions for Shared Electric Moped Parking Permits established in the Transportation Code.
- Transportation Code Division I and II modifications are necessary for the SFMTA to create this on-street shared electric moped parking permit program.
- Amendments to Transportation Code, Division I require San Francisco Board of Supervisors approval.

ENCLOSURES:

1. SFMTAB Resolution
2. Transportation Code Division I and II amendments

APPROVALS:

	DATE
DIRECTOR <u></u>	<u>6/14/2017</u>
SECRETARY <u></u>	<u>6/14/2017</u>

ASSIGNED SFMTAB CALENDAR DATE: June 20, 2017

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PURPOSE

Amending Transportation Code, Division II to create new definitions for Shared Electric Moped Organization, Shared Electric Moped, and Shared Electric Moped Parking Permit program and establish permit fees and permit program requirements, and recommending that the Board of Supervisors approve amendments to Transportation Code, Division I.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

Establishing an On-Street Shared Electric Moped Parking Permit program will support the following goals and objectives in the SFMTA's Strategic Plan:

Goal 2: Make transit, walking, bicycling, taxi, ridesharing and carsharing the preferred means of travel

Objective 2.3: Increase use of all non-private auto modes.

Objective 2.5: Manage parking supply to align with SFMTA and community goals.

Objective 2.4: Improve parking utilization and manage parking demand

Goal 3: Improve the environment and quality of life in San Francisco

Objective 3.1: Reduce the Agency's and the transportation system's resource consumption, emissions, waste, and noise.

Establishing an On-Street Shared Electric Moped Parking Permit program will support the following Transit First Policy Principles:

1. 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.

3. 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.

10. 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.

DESCRIPTION

Shared transportation services in San Francisco continue to evolve and expand. In addition to traditional car sharing, City residents, workers and visitors now have access to shared electric mopeds as an option for getting around. The San Francisco Municipal Transportation Agency (SFMTA) has engaged providers of these services to regulate and facilitate their operations to advance the Agency's goals of increasing mobility, safety, equity, and sustainability.

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Scoot Networks is a local electric moped sharing business. Members rent e-mopeds for short trips within San Francisco with pricing designed to encourage shorter trips. Scoot users can make open-ended trips with these mopeds, picking up a moped in one place and dropping it off at another.

In addition to on-street parking, Scoot pays for off-street space in private and public garages and lots, including some SFMTA-managed garages. Scoot allows its members to park on the street at the curb within an area defined and controlled by Scoot's user software.

In order to learn more about the dynamics of Scoot's service and its impacts on neighborhood parking congestion, the Director of Transportation implemented a pilot policy for electric mopeds parking in residential permit parking (RPP) areas in August 2015. The pilot policy exempts electric mopeds from RPP time limits in certain circumstances. For example, electric mopeds are exempt from RPP time limit restrictions if they are parked at a curb segment no longer than eight feet in length, or in a marked motorcycle parking stall.

Based on observations and feedback gathered during the pilot, as well as academic research regarding vehicle sharing systems, staff concluded that shared electric moped services help reduce private vehicle ownership and emissions. In addition, shared electric moped services help promote equity and affordability. Establishing a permit program for shared electric moped parking would facilitate this beneficial mobility service. In addition, by requiring permittees to gather and share data with the SFMTA as a permit condition, the SFMTA will be able to better understand the dynamics of shared electric moped services and work with permittees to adapt and improve their services to minimize parking conflicts and better support the SFMTA's and the City's goals.

In order to create a program that supports the City's goals and objectives, SFMTA staff proposes the following amendments to the Transportation Code:

- Amend Section 7.2.54 to authorize motorized scooters and mopeds to park in designated on-street motorcycle parking spaces. (Note: Board of Supervisors' Approval is required.)
- Amend Section 901 to create definitions for "On-Street Shared Electric Moped Parking Permit", "Shared Electric Moped" and "Shared Electric Moped Organization".
- Amend Table 902(d) to establish Shared Electric Moped Parking Permit fees.
- Add Section 915 to establish Shared Electric Moped Parking Permit requirements, privileges, and other conditions.

To summarize the permit requirements and conditions:

- Permits may be granted to Shared Electric Moped Organizations.
 - "Shared Electric Moped Organization" is an entity that provides preapproved members access to a citywide network of at least 100 Shared Electric Mopeds in the City and County of San Francisco and meets the requirements set forth in the Transportation Code.
- Permitted electric mopeds must be available to members and available for pick-up by members on a twenty-four hour, seven days per week basis.
- Permits will be issued to a specific vehicle and are non-transferrable.
- The SFMTA will require the Shared Electric Moped Organization to gather and share

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utilization data as specified on the written application.

- Both the name of the Shared Electric Moped Organization and a customer service phone number must be permanently displayed on both sides of the Shared Electric Moped.
- A moped with a valid Shared Electric Moped Parking Permit may legally park:
 - at an on-street parking meter without depositing payment where:
 - the metered space is designated for motorcycle parking, or;
 - the metered space is configured for parallel parking such that the Shared Electric Moped parks in a manner which allows another vehicle to also use the metered space;
 - in Residential Parking Permit (RPP) areas without being subject to applicable time limits if the Shared Electric Moped is parked at a curb segment that is eight feet or less, or parked in a designated motorcycle parking space.

The proposed program would be open to any entity which meets the definition of Shared Electric Moped Organization and the requirements and conditions for Shared Electric Moped Parking Permits established in the Transportation Code. Every permit is good for one year and will expire on June 30 of each calendar year unless otherwise renewed or revoked.

STAKEHOLDER ENGAGEMENT

During the pilot period, SFMTA staff heard from, and met with, numerous community members across the City, as well as members of the Board of Supervisors and their staff. Feedback included:

- support for the SFMTA's facilitation of shared electric moped services;
- support for creation of a permit system to allow shared electric mopeds to be parked more easily in residential areas;
- opposition to a private business operating its service in the public right-of-way, without special regulation or restriction;
- concern for shared electric mopeds parking at the curb adjacent to a residential driveway, and in doing so preventing a resident from parking her vehicle across a driveway;
- concern for shared electric mopeds remaining parked on neighborhood streets for prolonged periods of time;
- concern for shared electric mopeds overwhelming parking supply on residential blocks;
- concern for fairness in facilitating parking for one sort of two-wheel vehicle without also facilitating other types of two-wheeled vehicles (e.g., conventional scooters, electric motorcycles, etc).

Based on this feedback, staff developed a permit proposal which would facilitate shared electric moped services via a regulatory relationship with the SFMTA (including data sharing by permittees), and direct SFMTA resources to monitoring and guiding the use of shared electric mopeds.

The legislation proposed was presented to the SFMTA Board's Policy and Governance Committee (PAG) at their April 21, 2017 meeting, which helped staff refine the proposal and generated media

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reports on the proposal in the Examiner and blog outlets. Further outreach to Supervisors has been conducted since the PAG presentation, and email notification of the proposal has been made to interested stakeholders after the SFMTA Board meeting was scheduled.

ALTERNATIVES CONSIDERED

A program of fixed, designated parking spaces for shared electric mopeds, similar to the on-street car share parking program, was considered but not pursued; such a program would have significantly greater costs for administration, operations, and enforcement, and would not provide the benefits of the free-floating system already used by Scoot Networks. The proposed permit program is more flexible and adaptable, and by utilizing analysis of shared system data, the SFMTA can be more responsive to problems and opportunities for better customer service.

FUNDING IMPACT

The proposed permit fee is \$325 per vehicle per year. This permit fee will recover the costs for administration and enforcement of the proposed permit program, as well as meter and other permit revenue that otherwise would have been collected.

PUBLISHED NOTICE

Charter Section 16.112 requires published notice and hearing before the SFMTA may institute or change any fare, fee, schedule of rates or charges which affect the public. The Board's Rules of Order require that the advertisement run for at least five days and not less than fifteen days prior to the SFMTA Board meeting. In compliance with both Charter Section 16.112 and the Board's Rules of Order, advertisements were placed in the City's official newspaper, the San Francisco Chronicle, to provide published notice for the June 20, 2017 public hearing. The advertisements ran in the San Francisco Chronicle for five consecutive days, starting on May 30, 2017.

ENVIRONMENTAL REVIEW

On May 25, 2017, the SFMTA, under authority delegated by the Planning Department, determined that the proposed amendments to the Transportation Code for the Shared Electric Moped Parking Permit Program are not defined as a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The City Attorney's Office has reviewed this calendar item.

Amendments to Transportation Code, Division I require San Francisco Board of Supervisors

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approval.

RECOMMENDATION

SFMTA staff recommends that the SFMTA Board of Directors amend Transportation Code, Division II to create new definitions for a Shared Electric Moped Organization, Shared Electric Moped, and Shared Electric Moped Parking Permit program and establish permit fees and permit program requirements, and recommend that the Board of Supervisors approve amendments to Transportation Code, Division I.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The City adopted the Transit First Policy in 1973 which commits the City to provide a safe and efficient transportation system to ensure quality of life including economically and environmentally sound alternatives from individual automobiles as well as encourage innovative solutions to meet public transportation needs ; and,

WHEREAS, Shared electric moped services support reduction in private vehicle ownership and emissions and promote equity and affordability; and,

WHEREAS, SFMTA staff has developed an on-street shared electric moped parking permit program based on the pilot program for electric mopeds initiated in August 2015; and,

WHEREAS, SFMTA staff have studied the effects of that pilot program and conducted due outreach and engagement with the community and other stakeholders; and,

WHEREAS, On May 25, 2017, the SFMTA, under authority delegated by the Planning Department, determined that the proposed amendments to the Transportation Code for the Shared Electric Moped Parking Permit are not defined as a “project” under the California Environmental Quality Act (CEQA) pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and is incorporated herein by reference; and,

WHEREAS, San Francisco City Charter Section 16.112 and the Board's Rules of Order require that published notice be given and a public hearing be held before any fee or any schedule of rates, charges or fares which affects the public is instituted or changed at least five days and not less than fifteen days prior to the SFMTA Board meeting; and,

WHEREAS, Pursuant to Charter Section 16.112 and the Rules of Order of the Board of Directors, published notice was placed in the City’s official newspaper to provide notice that the Board of Directors will hold a public hearing on June 20, 2017, to consider the proposed establishment of Shared Electric Moped Parking Permit fees, now, therefore be it

RESOLVED, That the SFMTA Board of Directors amends Transportation Code, Division II to create new definitions for a Shared Electric Moped Organization, Shared Electric Moped, and Shared Electric Moped Parking Permit program and establish permit fees and permit program requirements; and be it further

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RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors recommends that the San Francisco Board of Supervisors amend San Francisco Transportation Code Division I to permit motorized scooters and mopeds to park in designated motorcycle parking spaces.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of June 20, 2017.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

Enclosure 2 (Transportation Code Amendments for Division I and II)

[Transportation Code - Motorized Scooter and Moped Parking Restrictions]

Ordinance amending the Transportation Code to permit motorized scooters and mopeds to park in designated motorcycle parking spaces; and affirming the Planning Department's determination under the California Environmental Quality Act.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this determination.

Section 2. The Transportation Code is hereby amended by revising Division I, Article 7, Section 7.2.37, to read as follows:

SEC. 7.2.37. MOTORCYCLE, MOTORIZED SCOOTER, AND MOPED PARKING.

To Park a vehicle other than a motorcycle, motorized scooter, or moped in any Parking Space signed for motorcycles only.

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: _____
JOHN I. KENNEDY
Deputy City Attorney

RESOLUTION

[Transportation Code – On-Street Shared Electric Moped Permit Requirements]

Resolution amending the Transportation Code to create an On-Street Shared Electric Moped Parking Permit program, including permit requirements, and to establish a permit fee.

NOTE: Additions are single-underline Times New Roman;
deletions are ~~strike-through Times New Roman~~.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 900 of Division II of the Transportation Code is hereby amended by revising Sections 901 and 902 and adding Section 915, to read as follows:

SEC. 901. DEFINITIONS.

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

* * * *

On-Street Shared Electric Moped Parking Permit. A permit issued by the SFMTA that authorizes such vehicle to Park in a designated on-street Parking Space in accordance with Section 915.

* * * *

Shared Electric Moped. An electric moped, as defined by Vehicle Code Section 406(a), for which an On-Street Shared Electric Moped Parking Permit is issued by the SFMTA.

Shared Electric Moped Organization. An entity that provides preapproved members access to a citywide network of at least 100 Shared Electric Mopeds in the City and County of San Francisco and meets the requirements set forth in the Transportation Code.

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SEC. 902. GENERAL PERMIT CONDITIONS.

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Table 902(d)
Permit Fee Schedule

	Effective July 1, 2016	Effective July 1, 2017
* * * *	* * * *	* * * *
On-Street Car Share Vehicle Permit (§ 911) Base Permit Fee – One time set up fee	\$416	\$431
Zone 1	\$2,808 (\$234 per month)	\$2,916 (\$243 per month)
Zone 2	\$1,872 (\$156 per month)	\$1,944 (\$162 per month)
Zone 3	\$624 (\$52 per month)	\$648 (\$54 per month)
<u>On-Street Shared Electric Moped Parking Permit</u> <u>(§ 915)</u>		
<u>(One Year)</u>	<u>N/A</u>	<u>\$325</u>
<u>(Less than 6 months):</u>	<u>N/A</u>	<u>\$162</u>
* * * *	* * * *	* * * *
Bus Substitution Fee (Division I, Article 6.2(f))	\$32.75	\$33.75

* * * *

SEC. 915. ON-STREET SHARED ELECTRIC MOPED PARKING PERMIT.

(a) General Permit Requirements.

- (1) The SFMTA shall issue an On-Street Shared Electric Moped Parking Permit for use of a Shared Electric Moped upon receipt of a written application from a qualified Shared Electric Moped Organization on a form prescribed by the SFMTA.
- (2) No more than one permit shall be issued for each Shared Electric Moped.
- (3) An On-Street Shared Electric Moped Parking Permit will be issued for a

specific Shared Electric Moped and is non-transferable.

(4) A valid On-Street Shared Electric Moped Parking Permit must be displayed on the permitted Shared Electric Moped at all times.

(5) The permitted Shared Electric Moped must be available to members and available for pick-up by members on a 24 hour, seven days per week basis.

(6) The SFMTA reserves the right to revoke an On-Street Shared Electric Moped Parking Permit at any time upon written notice of revocation. The Permittee shall surrender such permit in accordance with the instructions in the notice of revocation.

(7) Both the name of the Shared Electric Moped Organization and a customer service phone number must be permanently displayed on both sides of the permitted Shared Electric Moped.

(b) Criteria for Granting an On-Street Shared Electric Moped Parking Permit.

(1) The SFMTA shall require the Shared Electric Moped Organization to gather and share utilization data as specified on the written application.

(c) Application Requirements. Each application for a permit or renewal of a permit may be submitted at any time during the calendar year, and shall include a copy of the Department of Motor Vehicles vehicle registration certificate for each Shared Electric Moped for which a permit is requested and the following information:

(1) Identity of the Shared Electric Moped Organization;

(2) The business and mailing address for the Shared Electric Moped Organization;

(3) Proof that the applicant owns the Shared Electric Moped and that the vehicle will be used for only electric moped sharing related purposes; and

(4) Addition information that the MTA may require as part of the application.

(d) Permit Privileges. Each Shared Electric Moped that displays a valid On-Street Shared Electric Moped Parking Permit shall be permitted to Park in the following locations:

(1) at an on-street Parking Meter without depositing payment as required by

Division I, Section 7.2.23 (Payment of Parking Meter) where:

(A) the metered space is designated for motorcycle parking, or

(B) the metered space is configured for parallel parking such that the

Shared Electric Moped Parks in a manner which allows another vehicle to also use the metered space.

(2) in Residential Parking Permit (RPP) areas without being subject to applicable time limits as required by Division I, Section 7.2.20 (Residential/Carpool Parking) if the Shared Electric Moped is Parked at a curb segment that is eight feet or less, or Parked in a designated Motorcycle Parking Space.

(e) The Shared Electric Moped Parking Permit does not exempt the Shared Electric Moped from any other Parking restriction.

(f) **Number of Permits.** A Shared Electric Moped Organization is required to initially request a minimum of 100 On-Street Shared Electric Moped Parking Permits. Thereafter, a Shared Electric Moped Organization may request a single permit if at least 100 active On-Street Shared Electric Moped Parking Permits are maintained at any given time.

(g) **Duration of Shared Electric Moped Permit.** On-Street Shared Electric Moped Parking Permits may be issued by SFMTA at any time during the calendar year but every permit shall expire on June 30 of each calendar year unless otherwise renewed or revoked.

Section 2. Effective and Operative Dates.

(a) This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance.

(b) This ordinance shall become operative upon the effective date of an ordinance in Board of Supervisors File No. _____, enacted by the City amending Division I, Section 7.2.37.

Section 3. Scope of Ordinance. In enacting this ordinance, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: _____
JOHN I. KENNEDY
Deputy City Attorney

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I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of June 20, 2017.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency