



THE CITY OF SAN DIEGO

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## OFFICE OF THE INDEPENDENT BUDGET ANALYST REPORT

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**Date Issued:** October 15, 2019

**IBA Report Number:** 19-22 REV

**City Council Meeting Date:** October 28, 2019

**Item Number:** TBD

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# Proposed Response to Grand Jury Report “Electric Scooters: Innovation or Disruption?”

On June 20, 2019 the San Diego County Grand Jury filed a report, titled “Electric Scooters: Innovation or Disruption?” This report focuses on impacts to the City and its citizens related to scooter usage, as well as regulatory and associated enforcement issues.

The Grand Jury report includes five findings and three recommendations which are directed to the City Council. The proposed Council response – see Attachment 1 – covers these findings and recommendations.

Per the Grand Jury report, the Council is required to provide comments to the Presiding Judge of the San Diego Superior Court on the applicable findings and recommendations within 90 days. However, the Council President’s office requested and received an extension for the response to December 13, 2019.

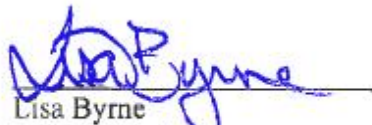
In responding to each Grand Jury finding, the City is required to either (1) agree with the finding or (2) disagree wholly or partially with the finding. Responses to Grand Jury recommendations must indicate that the recommendation (1) has been implemented; (2) has not yet been implemented, but will be implemented in the future; (3) requires further analysis; or (4) will not be implemented because it is not warranted or is not reasonable. Explanations for responses are requested when applicable.

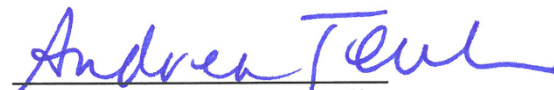
For this Grand Jury report various departments assisted the IBA in the development of the proposed Council response, including, Development Services, Police, Environmental Services, Risk Management, and the City Attorney’s Office. The proposed response was presented to the

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Active Transportation and Infrastructure Committee (ATI) on October 2, 2019, which approved the proposed response and forwarded it to Council with an adjustment to the response to Recommendation 19-54, third paragraph. This adjustment was requested by Uber and removes the words “citing excessive regulation,” as that reference does not accurately reflect the reason for pulling its JUMP e-bikes and scooters out of San Diego. For reference, this adjustment is reflected as a strike-out on page five of Attachment 1.

We request the City Council adopt a resolution approving the proposed response from ATI and directing the City Council President deliver the response to the Presiding Judge of the Superior Court by December 13, 2019.

  
Lisa Byrne  
Fiscal & Policy Analyst

  
APPROVED: Andrea Tevlin  
Independent Budget Analyst

Attachments:

1. Proposed City Response to San Diego County Grand Jury Report titled “Electric Scooters: Innovation or Disruption?”
2. San Diego County Grand Jury Report titled “Electric Scooters: Innovation or Disruption?”

**Proposed City Response to  
San Diego County Grand Jury Report Titled  
“Electric Scooters: Innovation or Disruption?”**

Pursuant to California Penal Code section 933(c), the City Council of the City of San Diego provides the following responses to the findings and recommendations which are included in the above referenced Grand Jury Report.

**FINDINGS 01 THROUGH 05**

**Finding 01:** *Dockless scooters are spread out in great numbers on San Diego City sidewalks without approval from the City.*

**Response: The City Council partially disagrees with the Grand Jury’s finding.**

With the adoption of the Shared Mobility Device (SMD) Ordinance in May 2019, the City of San Diego has implemented a new regulatory framework which includes a permitting process and additional enforcement powers over motorized scooter and other SMD companies. Although riders have deposited scooters on San Diego City sidewalks at widespread levels in the past, with the new law in place, scooter rental companies have been required to intensify their efforts at addressing how scooters are staged, and their recent collection efforts have begun to alleviate the issue. Furthermore, to facilitate appropriate scooter staging efforts, the City has installed 265 scooter/SMD corrals on streets in the downtown area, plans to install around 130-140 corrals in the Uptown area, and has proposed and/or constructed over 200 corrals in beach communities, specifically:

- La Jolla – 40
- Ocean Beach – 76
- Pacific Beach – 106
- Mission Beach – 23

**Finding 02:** *Riders of the dockless scooters are routinely violating the California vehicle code and San Diego City ordinances.*

**Response: The City Council partially disagrees with the Grand Jury’s finding.**

With the implementation of the SMD Ordinance, scooter and other SMD companies have been required to comply with City Municipal Code § 83.0301 et seq. Since that time, scooter-related violations have begun to diminish. Two pervasive types of violations include scooters operating on sidewalks and improper staging of scooters. Some scooter riders continue to illegally utilize sidewalks for travel, and scooters have not always been staged properly (e.g. in groups of four scooters, no more than one foot apart from each other). As mentioned in the response to Finding 01, the City has installed hundreds of scooter/SMD corrals, and there have been recent collections efforts by scooter companies

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to deal with improper scooter staging. The City is also implementing enforcement measures as discussed in the response to recommendation 19-54.

Most scooter companies have attempted to restrict scooters to the speed limits included in the California Vehicle Code and the City’s Municipal Code, with varying degrees of success. The Municipal Code includes additional restrictions on speeds, which scooter companies are required to enforce through the use of geofencing technology. City Municipal Code § 83.0308 requires a speed of eight miles per hour or less on public walkways within Balboa Park, Liberty Station NTC Park, and Spanish Landing Park and Trail, as well as certain areas in or near Mission Beach, Mission Bay, La Jolla Shores, and Petco Park. Additionally, scooter speeds are limited to three miles per hour at the Martin Luther King Promenade, the North and South Embarcadero pedestrian walk, and the Piazza della Famiglia.

Nonetheless, after implementation of the SMD Ordinance, there were repeated public complaints of scooter speeds in excess of those allowed. In response to complaints related to speed and other violations, the City sent letters to six scooter rental companies on July 12, 2019 regarding compliance responsibilities and repercussions for violations. Additionally, scooter companies were advised that continued violations will result in revocation of their operating permits or non-renewal of their permits after they expire on January 31, 2020.

**Finding 03:** *Reckless and improper use of scooters has resulted in one death and many injuries.*

**Response:** **The City Council agrees with the Grand Jury’s finding.**

**Finding 04:** *Scooter accidents are exposing the City of San Diego and its citizens to expensive damage awards as a result of litigation.*

**Response:** **The City Council partially disagrees with the Grand Jury’s finding.**

While the potential for claims and litigation related to scooter accidents exists, the extent of any damages that may be borne by the City is unknown. Although there are outstanding claims and several pending lawsuits against the City, the City has taken action to limit its exposure. Since July 2019, with the implementation of the permitting process, the City has required scooter and other SMD companies to maintain commercial general liability insurance with limits of \$2 million per occurrence and a \$4 million aggregate. Each operator must also maintain a \$4 million umbrella policy. Additionally, to be permitted for operation by the City, each company must agree to indemnify the City from claims and damages related to operation of the scooter/SMD company’s business in

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the City.

**Finding 05:** *San Diego City government has lagged behind other comparable sized cities in regulating the scooter companies’ use of the public right of way.*

**Response: The City Council partially disagrees with the Grand Jury’s finding.**

The City of San Diego has been dealing with scooter-related issues for some time. In May 2018, an emergency ban of scooters on boardwalks was considered by the City Council but was not adopted. Subsequently, the City began developing comprehensive regulations related to scooters and other SMDs. These regulations were adopted in May 2019 and compliance requirements subsequently went into effect. The City will continue to monitor and enforce existing regulations, as well as consider amendments to the SMD Ordinance based on lessons learned.

As the Grand Jury notes, a number of cities implemented regulations for scooter companies prior to the City of San Diego. Alternatively, some cities have implemented bans on shared scooter operations.

**RECOMMENDATIONS 19-52 THROUGH 19-54**

**Recommendation 19-52:** *Within the next twelve (12) months, rules for micro-mobility companies operating within the City. At minimum, the rules should include designated operating areas, speed limits and per unit licensing fees.*

**Response: The recommendation has been implemented.**

Per the SMD Ordinance, SMD companies operating in the City of San Diego must obtain a permit to operate and are subject to a host of new regulations, including additional restrictions on motorized scooter and motorized bicycle speeds, which the device companies are required to enforce through the use of geofencing technology. City Municipal Code § 83.0308 requires a speed of eight miles per hour or less on public walkways within Balboa Park, Liberty Station NTC Park, and Spanish Landing Park and Trail, as well as certain areas in or near Mission Beach, Mission Bay, La Jolla Shores, and Petco Park. Additionally, speed is limited to three miles per hour at the Martin Luther King Promenade, the North and South Embarcadero pedestrian walk, and the Piazza della Famiglia.

Permit requirements for SMD companies to operate in San Diego include proof of insurance; proof that SMD users are advised of driver’s license and other related requirements; labelling on scooter devices that states “Riding on Sidewalks is Prohibited;” agreement to share certain tracked data with the City; and agreement to

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indemnify the City from claims and damages related to operation of the SMD company’s business in the City. Permits are issued by the City for six-month periods; and the fee to be paid upon issuance or renewal of such permits is \$5,141. Additionally, a fee of \$150 per SMD is charged annually (which can be reduced to \$135 per device if the SMD company adopts an increased ridership opportunity program for low income individuals).

**Recommendation 19-53:** *Within the next twelve (12) months, contracts with micro- mobility companies operating within the City. At minimum, the contracts should protect and indemnify the City in the event of liability or damages arising out of the use and operation of the vehicles.*

**Response: The recommendation has been implemented.**

Since July 2019, SMD companies operating in the City of San Diego must be permitted for operation by the City, which includes the requirement that such companies agree to indemnify the City from claims and damages related to operation of the company’s business in the City. Additionally, SMD companies are required to maintain commercial general liability insurance with limits of \$2 million per occurrence and a \$4 million aggregate. Each operator must also maintain a \$4 million umbrella policy.

**Recommendation 19-54:** *Provide additional resources to the SDPD for comprehensive enforcement of existing laws and regulations that pertain to electric scooters and other micro-mobility vehicles. This should include resources for the collection and storage of abandoned, seized and/or impounded vehicles.*

**Response: The recommendation has been implemented.**

To be effective, the City’s enforcement efforts encompass policing as well as other activities. Recent notable enforcement and other City efforts include:

- installation of scooter/SMD corrals as mentioned in the response to Finding 01;
- impoundment of 2,500 SMDs during July’s Comic-Con, and imposition of related fines;
- letters to SMD companies (dated July 12, 2019) regarding San Diego Municipal Code compliance responsibilities and repercussions for violations, as mentioned in the response to Finding 02;
- Notices of Violation (NOVs) sent to Bird, JUMP, Lime, Lyft, and Skip on August 8, 2019;
- issuance to-date of four Administrative Citations (ACs) to SMD companies for improper staging of SMDs; and
- initiation of a non-compliance proceeding and a Notice of Intent to Revoke the SMD permit from Lime, dated August 16, 2019. (A hearing date is in the process)

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of being scheduled for end of September or early October 2019, depending on hearing officer availability.)

Ongoing efforts related to enforcement of scooter/SMD regulations include:

- The City has retained Sweep, Inc. to assist with impounding SMDs in violation of SMD parking/staging regulations.
- The City’s FY 2020 expenditure budget includes \$150,000, largely for Police Department overtime related to dockless mobility enforcement of California Vehicle Code violations. This funding is being utilized for specialized enforcement days in various targeted areas, which have occurred about once per week since July 1, 2019.
- The Development Services Department’s (DSD) Code Enforcement Division has also been assigned to enforce violations of the City’s SMD Ordinance. ACs will be issued for age verification violations, most staging violations, and devices that are not picked up within the three-hour notification timeframe. NOVs will be issued for geofencing violations, unauthorized removal of impounded devices, and staging violations creating a safety hazard. ACs will typically be issued in the following order: warning, then \$500, then \$1,000. Fourth violations and beyond may be issued additional \$1,000 ACs, a NOV, or a Notice of Intent to Revoke the SMD company’s permit.
- The City’s Performance & Analytics Department (Panda) is helping DSD analyze the data that is required to be provided by SMD operators per the SMD Ordinance. Panda’s analysis will be used to help identify issues and insights related to scooter/SMD compliance and usage in the City.

In response to the implementation and enforcement of the SMD Ordinance, Uber announced in mid-September that it is pulling its JUMP e-bikes and scooters out of San Diego, ~~citing excessive regulation~~; and Skip is also pulling its scooters out of the San Diego market.

The City Council’s Active Transportation and Infrastructure (ATI) Committee requested an update on the regulation of scooters/SMDs six months after the effective date of the SMD Ordinance. An update is anticipated to be presented at the October 23, 2019 ATI Committee meeting.

# *Electric Scooters: Innovation or Disruption?*

## **EXECUTIVE SUMMARY**

The 2018/2019 San Diego County Grand Jury (Grand Jury), in response to a citizen complaint, studied the laws and policies governing electric scooters and the concerns raised by citizens regarding the sudden influx of these devices related to safety and clutter. The Grand Jury also investigated the benefits described by the companies and the drawbacks posed by electric scooters in order to recommend actions to the City of San Diego (City).

For simplicity, this report refers throughout to “electric scooters”, but most of the same issues apply to “shared” bicycles, both electric and pedaled, and other “micro-mobility” devices.

Through its investigation, the Grand Jury found that the City has been very slow in regulating electric scooter companies. New policies and procedures were not in place until May 2019 as this report was being published, almost a year and a half after these scooters first appeared in the City.

Moving forward the Grand Jury recommends that the City consider stronger enforcement of existing traffic laws and recent City ordinances relating to electric scooters. The Grand Jury also recommends that the City develop a strategy for dealing with new products, services and technologies when they first appear.

The Grand Jury also studied how other cities of comparable size have responded to these issues by enacting new ordinances, enforcing existing policies and establishing pilot programs. The difference between these cities and the City of San Diego are detailed in Appendix 1.

## **BACKGROUND**

The Grand Jury decided to study this situation shortly after problems first arose.

On March 13, 2019, the first scooter fatality occurred in the City. According to police officials, in 2018 there were 44 collisions of which 13 resulted in serious injuries. To date in 2019 there have been 15 collisions resulting in six serious injuries. It is estimated that hundreds of unreported less serious accidents have also taken place, some involving children. Uncounted thousands of electric scooters and electric bicycles are parked or being ridden on San Diego sidewalks. This inundation occurred very rapidly, yet months later, the City of San Diego had not met this challenge with any meaningful response, while injuries and impediments mounted.



## **METHODOLOGY**

The Grand Jury prepared this report by:

- Interviewing local officials
- Researching relevant laws and ordinances concerning riding and parking scooters in San Diego
- Attending City Council committee meetings
- Reading proposed plans and ordinances
- Reviewing other published resources relevant to scooter issues

## **DISCUSSION**

The Grand Jury studied the issues regarding dockless electric scooters after it became apparent that a number of accidents have taken place on electric scooters resulting in serious injuries. During the summer of 2018, San Diego's downtown sidewalks became overrun by hundreds, if not thousands, of scooters from various companies. Some scooters are being ridden unsafely and illegally. California Vehicle Code sections 21210-21235 pertain to electric scooters, and many of these legal requirements are not enforced or obeyed. For adults, a helmet requirement was removed from the Vehicle Code effective January 1, 2019. Helmets are still required for those under 18 but many teenagers are still illegally riding helmetless. Riding without a valid driver's license, two people riding on one scooter and operating scooters on sidewalks all remain illegal under California Vehicle Code. Accidents and injuries are piling up.<sup>1</sup>

### ***Municipal Response***

The Grand Jury has researched how other cities have governed scooters. (See Appendix 1).

As early as August 30, 2018, other California cities were regulating micro-mobility companies. For example, the City of Santa Monica banned scooters when they first appeared. Their city attorney criminally charged a company resulting in a \$300,000 settlement.<sup>2</sup> Shortly thereafter, Santa Monica passed regulations and instituted a pilot program requiring \$20,000 as an initial licensing fee, in addition to an annual fee of \$130 per scooter.<sup>3</sup> As part of the pilot program, participating scooter companies all agreed to provide limits on speed and restrictions for use in certain areas ("geo-fencing") as well as data tracking to determine use and location of the scooters. They were also required to carry insurance and agreed to indemnify the city for any damages imposed against the city as a result of scooter accidents. This last term may be most important financially.

<sup>1</sup> Levitan, C., La Jolla Light (2019) *Scouting Pains: Early Results in from e-Scooter Injuries at La Jolla and San Diego Hospitals*

<sup>2</sup> Santa Monica Daily Press, *Bird Rides Inc. Takes Plea Deal and Will Pay \$300,000*, 2018.

<sup>3</sup> *City of Santa Monica Shared Mobility Device Pilote Program Administrative Regulations* (2018)

So what has San Diego done? At the time of this writing, a mere \$100 business license is the only prerequisite in San Diego to placing thousands of scooters on sidewalks and in parks.

Also, in July 2018, the San Diego City Council voted down a ban on scooters operating on the boardwalks in La Jolla Shores, Mission Beach, Pacific Beach and on Mission Bay Park shorewalk.<sup>4</sup> Prior to that, in the spring of 2018, the office of the City Attorney sent out form letters to dockless scooter and bicycle companies, providing a summary of the aforementioned vehicle code sections, along with applicable municipal code ordinances.

The San Diego Municipal Code allows ample opportunity to restrict rentals and placement of scooters on sidewalks, beach areas and parks.<sup>5</sup> The companies were also informed in the letter of citizen complaints and warned that it is illegal to block the public right of way, i.e., sidewalks. To comply with the Americans with Disabilities Act, the public right of way must remain free of impediments.

### ***Financial Risks***

San Diego, which is self-insured, remains vulnerable to significant financial risks from injuries related to scooters.

In July 2015, an accident occurred in San Diego injuring a rider on a two wheeled self-balancing personal transporter. The City was sued and damages were paid. The cost to the citizens of San Diego was \$1.7 million.<sup>6</sup> This year, a number of serious accidents have taken place on electric scooters, resulting in injuries at times worse than those suffered by the aforementioned rider. On March 13, 2019, the first scooter fatality occurred in the City of San Diego. Hundreds of less serious accidents have also taken place, some involving children.<sup>7</sup>

Many of these accident cases are in the initial stages of litigation or have already been filed. The outcome of the lawsuits may depend on the effect of the scooter companies' user agreements. A rider must agree to a user agreement in order to activate a scooter. Ostensibly, and in severe legal terms, the agreement binds the rider to assuming the total financial risk of any occurrence during the ride. One user agreement available online is 41 pages long.<sup>8</sup>

<sup>4</sup> Mackin-Solomon, A., La Jolla Light (2018) *San Diego City Council Votes against Scooter Ban on Boardwalks in La Jolla Shores, Pacific Beach and Mission Beach*

<sup>5</sup> City of San Diego Municipal Code, (i.e, Article 3 Public Parks, Playgrounds, Beaches, Tidelands Division 1, Use of Park Areas, section 63.20.20 Sales and Rentals)

<sup>6</sup> Garrick, D., San Diego Union Tribune (2018) *San Diego Paying 1.7M for Segway Injury on La Jolla Street*

<sup>7</sup> ABC 10 News (October 19, 2018) *Boy Riding Dockless Scooter Injured after Crash in North Park*

<sup>8</sup> Example end user agreement (<https://www.li.me/user-agreement> )

***Enforcement***

It is important to note that at all the City Council meetings attended by Grand Jury members, by far the most vocal objection to scooters was their flagrant misuse on City sidewalks. Such uses are now, and have always been, illegal under California Vehicle Code. None of the proposed regulations will change what is already illegal. Only rigorous enforcement will address the citizens' concern. There needs to be more enforcement of existing laws.

Currently the Traffic Division of the San Diego Police Department (SDPD) is responsible for law enforcement of all applicable vehicle code violations as pertains to motorized scooters. The Division conducts semi-monthly targeted enforcement using grant money from the California Office of Traffic Safety.<sup>9</sup> Enforcement is currently lax outside the targeted areas and times. The Grand Jury recommends that fees collected from scooter companies be earmarked for use by the SDPD so that enforcement would be consistent, frequent and widespread.

***New Innovative Businesses***

Micro-mobility vehicles are not the first, nor will they be the last, innovative new business to arrive practically overnight in San Diego.

The Grand Jury is concerned that the City Council has been too slow to address the concerns discussed above and the response (or lack thereof) is nothing new. Recently, several new business types have been introduced to the City without regulation or response. Automobile ridesharing came into the City without local regulations. Last year the City failed to agree on how to regulate "short term vacation rentals". Autonomous vehicles and package delivery by drones are in the foreseeable future. Other new and innovative businesses and products will undoubtedly be introduced into San Diego, with dangers and/or benefits greater than posed by the "micro-mobility" industry. It is incumbent upon the City leadership to act promptly to protect its citizens while still encouraging and promoting innovation.

***FINDINGS***

**Finding 01:** Dockless scooters are spread out in great numbers on San Diego City sidewalks without approval from the City.

**Finding 02:** Riders of the dockless scooters are routinely violating the California vehicle code and San Diego City ordinances.

**Finding 03:** Reckless and improper use of scooters has resulted in one death and many injuries.

<sup>9</sup> California Office of Traffic Safety (<https://www.ots.ca.gov/grants/>)

**Finding 04:** Scooter accidents are exposing the City of San Diego and its citizens to expensive damage awards as a result of litigation.

**Finding 05:** San Diego City government has lagged behind other comparable sized cities in regulating the scooter companies' use of the public right of way.

### ***RECOMMENDATIONS***

**The 2018/2019 San Diego County Grand Jury recommends the San Diego City Council ask staff to bring forward for their consideration:**

- 19-52:** Within the next twelve (12) months, rules for micro-mobility companies operating within the City. At minimum, the rules should include designated operating areas, speed limits and per unit licensing fees.
- 19-53:** Within the next twelve (12) months, contracts with micro-mobility companies operating within the City. At minimum, the contracts should protect and indemnify the City in the event of liability or damages arising out of the use and operation of the vehicles.
- 19-54:** Provide additional resources to the SDPD for comprehensive enforcement of existing laws and regulations that pertain to electric scooters and other micro-mobility vehicles. This should include resources for the collection and storage of abandoned, seized and/or impounded vehicles.

### ***REQUIREMENTS AND INSTRUCTIONS***

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding

- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
  - (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
  - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

<b><u>Responding Agency</u></b>	<b><u>Recommendations</u></b>	<b><u>Date</u></b>
<b>City Council, City of San Diego</b>	<b>19-52 through 19-54</b>	<b>9/18/19</b>

**Filed: June 20, 2019**

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**Appendix 1**

The chart shown in this appendix gives a comparison of the City of San Diego versus seven other cities in Arizona, Oregon and California. For San Diego the regulations are all proposed by the Mayor’s Office as of February 20, 2019 but not yet adopted by the City Council. Some items not covered in the proposed regulations are covered in the California Vehicle Code (CVC).

Some of the information pertaining to other cities may be out of date at the time of publication of this report.

As can be seen by this chart many other cities are far ahead of San Diego in having regulations, scooter companies’ fee and license structures, insurance requirements and pilot programs in place.

Rules & Ordinances/Cities	San Diego, CA	Scottsdale, AZ	Tempe, AZ	Portland, OR	Santa Monica, CA	San Francisco, CA	Los Angeles, CA	Coronado, CA
<b>Definitions Used By City</b>	California Vehicle Code (CVC)		Shared Active Transportation Vehicle (SATV)				DOCKLESS ON-DEMAND PERSONAL MOBILITY CONDITIONAL PERMIT - Parking Section (DoDPMCP)	
<b>General Notes</b>	All regulations are pending (Proposed Rules - Feb 20, 2019) unless contained in the CVC			Pilot program in process	Pilot Program in process.	Board of Supervisors City and County of San Francisco. Meeting Minutes, April 17, 2018. See items 180214 and 180392. In addition there is a pilot program in place.	Pilot Program in process.	As of April 2018 no dock-less bicycles are allowed. Dock-less bicycles found in the public right of way are tagged by the Police Department then impounded by Public Services. No mention of scooters

Rules & Ordinances/Cities	San Diego, CA	Scottsdale, AZ	Tempe, AZ	Portland, OR	Santa Monica, CA	San Francisco, CA	Los Angeles, CA	Coronado, CA
<b>Parking</b>								
<b>Sidewalk</b>	May not block sidewalk CVC 21235(j)	Must yield the right-of-way to pedestrians using the sidewalk. User shall yield the right-of-way to vehicles while crossing a driveway or intersection	SATVs shall be staged and parked so as not to block or impede pedestrian and wheelchair traffic in compliance the Americans with Disabilities ACT (ADA)	In the Sidewalk Corridor and fully contained in the Furnishings Zone, or within a City-designated Scooter Parking Area	See section 3.10 Deployment and System Operations. City of Santa Monica	Restrictions	(DoDPMCP)	N/A
<b>Racks</b>	Not mentioned	Not mentioned	On certain streets SATVs shall be staged adjacent to a bicycle rack (no more than 10 feet away)	Not mentioned	See section 3.10 Deployment and System Operations. City of Santa Monica	Restrictions	(DoDPMCP)	N/A
<b>Designated Areas</b>	<b>(Proposed)</b> Staging in groups of four and 40 feet between groups. No staging is school or hospital zones	See Ordinance #4372 City of Scottsdale, Maricopa County, AZ, section 17-85 Parking	A parking surface does not include a parking space utilized by motor vehicles	TRN-15.01 – New Mobility – Shared Electric Scooters section E - 4	See section 3.10 Deployment and System Operations. City of Santa Monica	Restrictions	(DoDPMCP)	N/A
<b>Time Limits</b>	Not Mentioned	See Ordinance #4372 City of Scottsdale, Maricopa County, AZ, section 17-85 Parking	Operator shall stage all SATVs every 24 hour	TRN-15.01 – New Mobility – Shared Electric Scooters section F	See Above	Restrictions	(DoDPMCP)	N/A



Rules & Ordinances/Cities	San Diego, CA	Scottsdale, AZ	Tempe, AZ	Portland, OR	Santa Monica, CA	San Francisco, CA	Los Angeles, CA	Coronado, CA
<b>Residential</b>	Not Mentioned	See Ordinance #4372 City of Scottsdale, Maricopa County, AZ, section 17-85 Parking	Operator shall not stage SATVs in front of single-family residential properties on residential streets	TRN-15.01 – New Mobility – Shared Electric Scooters section F	See section 3.10 Deployment and System Operations. City of Santa Monica	Restrictions	(DoDPMCP)	N/A
<b>Grouping</b>	<b>(Proposed)</b> Staging in groups of four and 40 feet between groups. No staging is school or hospital zone	See Ordinance #4372 City of Scottsdale, Maricopa County, AZ, section 17-85 Parking	No more than 10 SATVs shall be staged in a group and groups should be separated by a distance of at least 150 feet	Shared Scooters parked within the Right-of-Way shall be located in groupings with a combined length of no greater than 10 feet, immediately abutting one another. At least 20 feet must be left clear of Shared Scooters between groupings of Shared Scooters along the same block face.	See section 3.10 Deployment and System Operations. City of Santa Monica	Restrictions	(DoDPMCP)	N/A
<b>Blocking Sidewalk</b>	<b>(Proposed)</b> Misplaced or abandoned may be removed after three hours of being reported	See Ordinance #4372 City of Scottsdale, Maricopa County, AZ, section 17-85 Parking	A clear width of 48 inches on a walking surface. SATVs must not impede width required for boarding transit vehicles	TRN-15.01 – New Mobility – Shared Electric Scooters section F	See section 3.10 Deployment and System Operations. City of Santa Monica	Restrictions	(DoDPMCP)	N/A

Rules & Ordinances/Cities	San Diego, CA	Scottsdale, AZ	Tempe, AZ	Portland, OR	Santa Monica, CA	San Francisco, CA	Los Angeles, CA	Coronado, CA
<b>Riding</b>								
<b>Sidewalks</b>	<b>(Proposed)</b> Devices must be labeled "Riding on Sidewalks is Prohibited".	Class 3 electric bicycles prohibited on sidewalks; stand-up electric mini-scooters prohibited on streets greater than thirty-five miles per hour with exceptions.	May ride on sidewalk if no sign posted prohibiting. Must yield right-of-way to any pedestrian or electric personal assistance mobility device.	Prohibited	Prohibited	Prohibited	Prohibited plus "No Riding On Sidewalks" (minimum 48-point font) located on the platform of every scooter.	N/A
<b>Multiuse Paths</b>	Permitted	Scooter Ok	Permitted	Permitted	Permitted	Not Mentioned	Not Mentioned	N/A
<b>Streets</b>	Permitted	If speed limit is < 40 MPH	Permitted	Permitted	Permitted	Not Mentioned	CVC takes precedent	N/A
<b>Speed Limits</b>	<b>(Proposed)</b> Two areas designated for either Eight mph or three mph. No other limits mentioned.	20 MPH Max	20 MPH Max	15 MPH Max	15 MPH Max	Not Mentioned	15 MPH Max	N/A
<b>DUI</b>	DUI Regulations apply to motorized scooters CVC 21221.5	Same limits as motor vehicles, .08, fine of not less than \$250.00.	Not mentioned in City Codes.	Not mentioned in City Codes or Vehicle Code	Not mentioned in Deployment and System Operations, City of Santa Monica	Not Mentioned	Not mentioned	N/A
<b>Age Limit</b>	<b>(Proposed)</b> Prior to each use companies will be required to educate riders of local and state vehicle and traffic codes.	No age restriction found in Ordinance.	Minimum age 16	Minimum age 16	Minimum age 16	Not Mentioned	Minimum age 18 and must have a driver's license	N/A

Rules & Ordinances/Cities	San Diego, CA	Scottsdale, AZ	Tempe, AZ	Portland, OR	Santa Monica, CA	San Francisco, CA	Los Angeles, CA	Coronado, CA
<b>Riding</b>								
<b>Helmet Requirements</b>	Helmet required if under 18 years of age. CVC	No helmet reference found in Ordinance.	Required if under age 18.	Helmets required of all riders.	Helmet required if under 18 years of age.	See item 180392 of meeting minutes. Opposition to state laws.	Helmet use is encouraged.	N/A
<b>User Education</b>								
<b>Laws</b>	<b>(Proposed)</b> Prior to each use companies will be required to educate riders of local and state vehicle and traffic codes.	Operator not required to supply education to users.	Operator agrees to educate Users regarding laws applicable to operating a SATV in Tempe and comply with all applicable Federal, State and local laws.	Not required	See section 3.15.2 Education. City of Santa Monica Shared Mobility Device Pilot Program Admin Regulations	Not mentioned	Not mentioned.	N/A
<b>Customer Service Number</b>	Not mentioned	Unsafe riding report to PD non-emergency line 480-312-5000. Parking issues 480-312-7433.	Operator shall provide the City with a name, direct telephone number and email address of the local staff member responsible for staging SATVs. Operator shall have a 24 hour customer service phone number for Users.	The Applicant has demonstrated that a 24-hour customer service number is available for customers and that the service has the ability for translation services.	See section 3.12 Customer Service. City of Santa Monica Shared Mobility Device Pilot Program Admin Regulations	Not mentioned	Organization structure of operations team, including title, and their specific responsibility on the project. An email address + phone number for LADOT to use as the direct point of contact 24 hours a day for notifications.	N/A

<b>Rules &amp; Ordinances/Cities</b>	<b>San Diego, CA</b>	<b>Scottsdale, AZ</b>	<b>Tempe, AZ</b>	<b>Portland, OR</b>	<b>Santa Monica, CA</b>	<b>San Francisco, CA</b>	<b>Los Angeles, CA</b>	<b>Coronado, CA</b>
<b>Tracking</b>								
<b>Usage</b>	<b>Proposed</b>	No Requirements	Required	Required	Proposed	Not Mentioned	Required	N/A
<b>Trips</b>	<b>Proposed</b>	No Requirements	Required	Required	Proposed	Not Mentioned	Required	N/A
<b>Date and Time</b>	<b>Proposed</b>	No Requirements	Required	Required	Proposed	Not Mentioned	Required	N/A
<b>Distance</b>	<b>Proposed</b>	No Requirements	Required	Required	Proposed	Not Mentioned	Required	N/A
<b>Location Start End</b>	<b>Proposed</b>	No Requirements	Required	Required	Proposed	Not Mentioned	Required	N/A
<b>Availability</b>	<b>Proposed</b>	No Requirements	Required	Required	Proposed	Not Mentioned	Required	N/A

Rules & Ordinances/Cities	San Diego, CA	Scottsdale, AZ	Tempe, AZ	Portland, OR	Santa Monica, CA	San Francisco, CA	Los Angeles, CA	Coronado, CA
<b>Fees</b>								
<b>Business or Operator License</b>	<u>(Proposed)</u> Six month permit and performance bond but no cost mentioned.	No fee schedule found.	\$7,888.00 annual fee. \$100.00 relocation fee for SATV relocation activities.	The Applicant must pay an application fee of \$250.00 and must pay a Pilot Period Permit Fee of \$5,000.00.	Annual Operator Fee \$20,000 Per Operator. Business License Minimum Tax \$75.	Not mentioned	Permit Application Fee of \$5,000 (non-refundable)	N/A
<b>Per Unit Fee</b>	<u>(Proposed)</u> Annual fee of \$150 per device.	No fee schedule found.	\$1.06 per SATV per day.	Per-Trip Surcharge of \$0.25 for each booked trip.	Annual Device Charge \$130 per Device. Public Right-of-Way Fee \$1/dev./day	Not mentioned	Conditional Permit vehicle fee of \$ 32.50/vehicle (non-refundable)	N/A
<b>Insurance</b>								
<b>Liability</b>	<u>(Proposed)</u> Liability insurance and indemnify the City from liability claims. No mention of Insurance limits.	No insurance requirement found.	General Liability insurance, limit not specified. Operator shall agree to indemnify and hold harmless the City.	An Applicant shall secure and maintain a primary commercial general liability policy reflecting limits of no less than \$1 million per occurrence and \$2 million in the aggregate for covered claims arising out of, but not limited to, bodily injury and property damage in the course of the Permittee’s operations under its permit.	Commercial General Liability (CGL): Covering CGL on an “occurrence” basis, operations, property damage, bodily injury and personal and advertising injury, with limits of no less than \$5,000,000 per occurrence and no annual aggregate. See Exhibit "A" and "B" in the City of Santa Monica Shared Mobility Device Pilot Program Regulations	Not mentioned	Commercial General Liability (CGL): insurance Service Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed: operations, property damage, bodily injury and personal and advertising injury, with limits of no less than \$5,000,000 per occurrence and no annual aggregate.	N/A