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## BTAC AGENDA ITEM SUBMISSION FORM

Please use the template below to submit agenda items for BTAC deliberation. The objective is to assure that deliberations are guided by an understanding of the action sought of BTAC, the pertinence of the proposal to BTAC's mission and objectives, and ultimately the expectations and obligations to which BTAC is agreeing when it takes action on an agenda item.

### 1. TITLE OR BRIEF DESCRIPTION OF THE AGENDA ITEM:

**Electric Scooters – A Briefing**

**2. INTRODUCTION TO THE TOPIC:** A brief statement regarding origin of the agenda item and its relevance to the current activity of BTAC.

**In light of the possibility of e-scooter businesses coming to Santa Fe the City is exploring options to regulate this up and coming technology. The City will be looking for support for a resolution that allows the City one year to analyze information and consider options.**

**3. BTAC ACTION BEING SOUGHT:** Most BTAC deliberation is intended to achieve one of three outcomes. If appropriate be prepared to suggest a formal motion to the meeting floor for debate, discussion and vote.

*\*To inform:* The purpose is to inform board members of the actions/thoughts of the presenting group and to provide an opportunity for discussion and questions. (E.g., an update from a standing or ad-hoc subcommittee) **No action from BTAC is sought.**

*\*To discuss:* BTAC agrees that a preliminary proposal is worthy of further discussion. **A possible motion to direct** an individual to review the issue and return at a specified time with a formal proposal for action is sought.

*\*Ta act:* BTAC supports a plan that requires outlining actions and obligations for Board members and/or Staff. **A motion clarifying objectives, expectations and obligations of Board and/or Staff** is sought.

**To inform and discuss**

**4. ESTIMATION OF COST AND/ TIME:** Who would be responsible for costs and/or BTAC or staff time? Has affected BTAC member or staff been apprised of the proposal and do they understand the obligations?

**Likely no additional staff time as BTAC has been told that staff monitors bond fund availability as part of regular duties.**

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## Editorials

# Editorial: ABQ council needs to slow its roll on rental scooters

By Albuquerque Journal Editorial Board

Tuesday, October 9th, 2018 at 12:02am

Milwaukee sent a cease-and-desist letter, then sued to ban them in court.

Nashville sued before impounding them.

San Francisco banned them, then demanded each get permits.

Denver has removed them because they were taking up space on public rights of way and ordered them to cease operations until regulations are in place.

And Albuquerque is giving them all the rights and privileges of a car.

We're talking about electric scooters and other forms of small, wheeled shared transportation vehicles. Last week eight members of the Albuquerque City Council amended the Traffic Code to allow rental bikes and scooters, their electric brethren, and such to operate in the public rights of way.

Only Councilor Isaac Benton seemed to understand the need to include safeguards, given the yet-to-be-regulated emerging industry as well as the laws of physics. His resolution "Declaring A Moratorium On The Operation Of Any New Shared Bicycle Or Electric Scooter Service Within The City For A Time Period Of Three Months Or Until A Regulatory Framework Is Established, Whichever Occurs First" failed because it couldn't get a second.

Because why take a few weeks to set up a regulatory system when you can get the public on those 15-mph scooters in the middle of Montgomery, safety be damned?

And so, the same City Council that was blinded by a shiny new Top Golf complex and rushed to hand out millions in taxpayer incentives has been blinded once again, this time by a fleet of shiny new scooters from San Francisco-based Lime. Last week it put the public at risk for, at minimum, the nuisance of having them parked on sidewalks, and, at maximum, injury and even death.

New city ordinance 18-29 regarding shared transportation states "Operators of small vehicles have the same rights as operators of bicycles in the use of streets, highways, roadways, and sidewalks, except as otherwise specifically provided herein."

FYI, city ordinance 8-3-3-4 (A) states "Operators of bicycles have the same rights as operators of automobiles in the use of streets, highways and roadways within the city" unless a city sign prohibits the use of bicycles.

And so, in Albuquerque, riders of scooters, like riders of bicycles, can now “take the lane” and ride amid traffic. That might make sense in some areas, such as roads with lower-volume, lower-speed traffic, but when your top speed is 10 mph lower than the 25 mph on residential roads, it makes little sense to put riders at risk on higher-volume, higher-speed roads like Coors, Golf Course or Paseo del Norte east of the interstate. That’s why Benton’s concerns regarding regulations, as well as city liability and legal protection, are important to address, and before someone gets hurt rather than after.

Last week in Indianapolis, law enforcement began cracking down and kicking scooter operators off city sidewalks. The Indianapolis Star reported more than 20 scooter injuries just in September and said “riders feel unsafe riding on streets, where city rules say they should be. Pedestrians feel unsafe when scooters zip by on the sidewalk. And drivers feel unsafe when scooters occupy the same traffic lanes they do.”

New Mexico isn’t known for being the safest place to be on the road; as of August this year 252 people have died on our streets – 61 of them in Bernalillo County. An inventory of the more than 20 ghost bikes on the shoulders and medians shows it’s especially tough when you’re on two wheels.

It is hard to square the speed with which the City Council approved this scooter free-for-all with its anti-panhandling ordinance that said medians and street corners were not safe for seeking handouts. Councilor Pat Davis may be absolutely correct that rental scooters are “popular with millennials. It’s going to be a big deal for Albuquerque, in terms of putting us on the map as a city as innovative as Denver, San Francisco and Seattle, but also providing extra transit options for people who can’t yet connect to the bike system or bus system.”

But taking Benton’s pragmatic approach and getting some regulations in place before e-scooters leave their charging docks here could avoid the concerns and the injuries other cities are having to deal with.

*This editorial first appeared in the Albuquerque Journal. It was written by members of the editorial board and is unsigned as it represents the opinion of the newspaper rather than the writers.*

## Pro Football

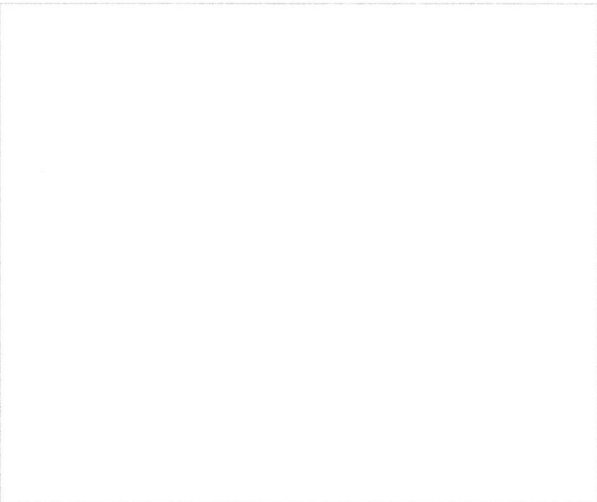
Chiefs-Rams game moved from Mexico City to LA due to field

Jets' frustrated Adams: 'I'm a winner. It's just tough'

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## Support local journalism

## Outreach on Scooter Safety Begins as Bigger Players Enter 'Micro-Mobility' Market

editor@aaashto.org November 9, 2018 0 COMMENTS



With the global electric scooter market expected to increase from roughly \$16 billion today to more than \$37 billion by 2024, according to one study, bigger companies – particularly automobile manufacturers – are starting to make bigger investments in this segment of the “micro-mobility” industry. Yet the rapid growth of scooter usage is also sparking one company to start a public outreach campaign regarding scooter safety.

*[Above photo by Louis Tamayo.]*

“As micro-mobility continues to flourish, we’re renewing our commitment to keeping streets and sidewalks safe and accessible to the entire community,” noted Toby Sun, CEO and co-founder of dockless bike and scooter firm Lime in a Nov. 5 blog post.

He said Lime will spend \$3 million to fund an outreach effort to help educate users regarding safe scooter operation practices. That effort – dubbed “Respect the Ride” – includes encouraging scooter users to sign a safety pledge and wear helmets, Sun noted.



Photo by Ford Motor Co.

“Through our Respect the Ride pledge, we will ask riders to join us in committing to safe riding practices, including abiding by local traffic laws and parking properly,” he pointed out. “The first 25,000 riders to sign the pledge will receive free Lime helmets in the mail for showing their support. Over the next six months, we will be distributing a total of over 250,000 free helmets to riders across the globe.”

Sun added that the campaign will involve “multi-channel local advertising” that includes digital and outdoor advertisements reminding riders to wear helmets, abide by local laws, park responsibly and stay aware of their surroundings when riding.



Photo by Ford Motor Co.

“As cities and communities adapt to new modes of transportation, rider safety and education will remain our top priority. This includes the need to make our streets safer for all micro mobility users,” he said. “Lime is committed to partnering with policymakers around the world to better support micro-mobility on our roadways. We will continue to work diligently to encourage the construction of more protected bike lanes and infrastructure designed to accommodate and safeguard these new transit options. We believe it’s our

responsibility to partner with cities, riders and residents to make sure everyone gets from point A to point B safely.”

A study released by data platform management firm Populus in July indicates that the popularity of electric scooters as an urban transportation option continues to increase in major U.S. metropolitan cities.



Photo by Ford Motor Co.

Yet one potential roadblock that might slow broader use of two-wheeled scooters is that most city and state laws do not allow them to operate on public roads – a problem that would need to be resolved by new transportation policy initiatives, according to Populus’ analysis.

That’s not deterring investment in the scooter industry, however. For example, Ford Smart Mobility – a division of Ford Motor Co. – acquired San Francisco-based electric scooter-sharing company Spin on Nov. 8; a move the automaker described in a statement as its “latest strategic move” to build a “mobility portfolio” to help customers get places more easily, more quickly and less expensively

“Scooters allow cities to offer an equitable last mile solution to their residents thanks to the relative affordability,” the company said. “Combined with ease of use and electrified power, scooters can also help reduce urban traffic congestion, parking limitations and pollution.”

# Why scooters are the future of transportation

By Marlon Boarnet | October 2, 2018

Almost overnight, electric scooters, e-bikes, and dockless bicycles have become a fixture in cities across the United States and beyond. While these devices might seem like toys, or annoyances, or possibly safety hazards, my decades of research and teaching on transportation planning leads me a different conclusion: Light-duty, sustainable mobility should be a central part of our transportation future.

The reason is simple: Most trips are short, but we usually drive because no other technology can rival the convenience of the car even for trips of one to two miles — until now.

Nationally, half of all trips are less than three miles. In cities, that fraction can be higher. We often don't need two tons of steel with a couple of hundred horsepower to go three miles or less, but we drive because other options are not nearly as convenient. What would happen if we could move those short trips to technologies that are smaller and more environmentally friendly?

Some insight comes from a **study** that I completed with colleagues Genevieve Giuliano at USC and Yuting Hou and Eun Jin Shin (now at Singapore University of Technology and Design and Yale-NUS College, respectively.) With funding from the **USC Sol Price Center for Social Innovation**, we compared job access for commuters using transit versus those driving to work in San Diego. Several results point to the potential advantages of technologies like scooters and bicycles that can bridge the gap between home, jobs, and transit stations.

A typical car commuter in San Diego's poorest neighborhoods, when driving for 30 minutes, can reach 30 to 40 times more jobs than a person who starts in those same neighborhoods and commutes 30 minutes by transit. Why is there such a large difference between car and transit job access? The reasons are familiar to transit riders everywhere — transit commuters must walk to and from stations, wait for the bus or train, and often transfer, while cars go point-to-point.

Just getting to and from transit stations, for typical San Diego commuters, was almost 20 percent of total transit commute time. We studied what would happen if we could move people to and from stations on bicycles.

Our results showed that, in San Diego, if people could bike at both ends of a transit trip, to and from stations, the improvement in job access would be larger than what we could get by increasing the number of buses and trains by 50 percent citywide. However, adding more



buses and trains is expensive. Moving persons back and forth to stations at bicycle speeds could be cheap — but how do we do that given that many persons may not want to or be able to bike?

Enter the e-mobility revolution. For the first time, we have the possibility of new technologies that can replace short car trips. Scooters and dockless bikes are likely the first of many light-duty, sustainable, short-trip vehicles. These technologies hold the promise of replacing short driving trips with something smaller, lighter, and much more environmentally friendly.

Of course there are issues that must be addressed. Scooters and dockless bikeshare can create clutter, interfere with pedestrians, and pose safety issues. Cities need to regulate this new mobility. In thinking about how to do that, cities should remember these principles:

- When e-mobility uses public space, users or the mobility companies should pay the public for the use of that space. These devices use sidewalks, streets, and bike lanes, and it makes sense to charge reasonable fees for the use of that space.
- We should do all we can to foster competition. Limiting the number of firms that operate might seem a sensible way to reduce scooter or bike clutter or to license the best-behaving firms. But picking winners, or even the number of winners, is **unwise**. It is better to let the market choose the number of companies that can profitably operate. Clutter can be managed by carefully designating parking locations for scooters and dockless bikes — maybe by replacing a car parking space on, for example, each block with scooter and bike parking.
- Rather than requiring scooter and bicycle riders to wear helmets, we should aim to build infrastructure that makes our streets safe for all users. The same infrastructure that fosters safety for new e-mobility (i.e. slowing car travel speeds) will make our streets safer for pedestrians.
- In the information age, data are valuable. These new mobility companies are generating large amounts of data on when, where, and how people travel. Cities should require data sharing as part of any license to operate.

The best thing planners and policymakers can do now is to realize that e-scooters and shared bikes are the harbingers of low-impact transport solutions that have the potential to solve vexing problems. We should regulate this industry, but in ways that focus on compensating the public for the use of public space and making streets safe for everyone in and out of cars, all while sharing data and fostering as much competition as we can. The cities that best do that will be leaders in this new transportation era.

*Note: This piece was also recently published on the Social Innovation Blog of the USC Sol Price School of Public Policy.*

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**About the Author** Marlon Boarnet is a professor and chair of the Department of Urban Planning and Spatial Analysis at the USC Sol Price School of Public Policy.

## San Francisco Is About to Let Electric Scooters Back on the Streets. But One Scooter Company Isn't Happy.

**Scooter giant Lime claims the city's permitting process was biased and arbitrary.**

Christian Britschgi | Oct. 12, 2018 4:30 pm

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• Benoit Tessier/REUTERS/Newscom After months of hostility, harassment, and the outright seizure of their vehicles by city officials, San Francisco may finally allow dockless electric scooter companies back onto city streets. Come Monday, SFMTA—the city's transit agency—plans to allow local scooter start-ups Scoot and Skip to begin operations in the city once again under heavily-conditioned circumstances.

Threatening the return of scooter service however is none other than scooter giant Lime, which was denied a permit and is now suing the city, claiming the process by which these permits were awarded was biased.

"Lime believes that after selecting two other less experienced electric scooter companies and comparatively weaker applications in a process that was riddled with bias, the SFMTA should revisit the decision and employ a fair selection process," said the company in a statement.

Lime had been one of the initial companies to drop its scooters on San Francisco's streets back in March 2018, along with other early entrants Bird and Spin, and thus was on the receiving end of San Francisco's early efforts to quash their permissionless innovation.

Despite their being no prohibition on these dockless e-scooters at the time, San Francisco officials took the view that they were public nuisances, impounding over 500 of the vehicles (including 130 from Lime alone) and sending cease-and-desist letters to the three companies.

What followed was a months-long process by which city hall and SFMTA cobbled together a pilot program that would issue permits to five companies and allow up to 2,500 scooters back onto city streets. At the time Lime, agreed to comply with the new regulations, and along with eleven other scooter companies, applied for a permit.

When permits were finally issued at the end of August, the city inexplicably decided to award them to only two companies—the aforementioned Scoot and Skip—and allow them to only deploy 1,250 scooters.

Neither Lime, nor Bird or Spin, were given permits, in what the company is now claiming is an attempt to unfairly penalize them for operating a lawful, but not explicitly-allowed transit service.

"SFMTA's development of the pilot program and permitting process was biased and flawed from the outset, and aimed to punish companies that lawfully deployed scooters earlier this year," said Lime.

All companies applying for permits to operate in San Francisco were evaluated on a number of categories, including safety, community outreach, plans for low-income and disabled access, and crucially each company's "experience and qualifications" operating scooter programs.

Lime, Bird, and Spin—the three companies to put vehicles out on the street before the city's big scooter crackdown—were all given a 'poor' grade for this last metric, with SFMTA officials claiming that their jumping the gun on providing scooter service meant these companies could not be trusted to follow city regulations going forward.

Also downgraded in this category was ride-sharing company Lyft, a new player in the scooter market, who—despite never having deployed a single scooter on San Francisco's streets—was dinged for the traffic violations its drivers had racked up over the years.

Lyft has also raised complaints about the arbitrary and biased nature of San Francisco's scooter permitting process. In a late September letter sent to San Francisco Mayor London Breed and SFMTA Director Ed Reiskin, Lyft President John Zimmer claimed that initial analysis by city staff ranked his company's application higher, but was then downgraded when the final analysis was released.

"The fact that the final result differed substantially from the initial analysis is indicative of a larger frustration with the process. Scoring criteria was not published in advance, and the scoring analysis that was released afterwards was not tied to the requirements set forth in [permit program regulation]" wrote Zimmer. "This led to what appears to be more arbitrary and inconsistent scoring results."

Zimmer's letter asks the city to reconsider granting only two permits. Lime is going further, demanding that all scooter operations be halted until a fairer appraisal of its application can be conducted.

San Francisco city officials have so far shrugged off Lime's lawsuit, telling the company to work within the system, which they insist was totally above board.

"The SFMTA's permitting process for the pilot program was thoughtful, fair and transparent. It includes an appeal process that Lime should be pursuing instead of wasting everyone's resources by running to court," said City Attorney spokesperson John Cote to the *San Francisco Examiner*.

While one can quibble with Lime's attempt to temporarily stop scooters' return to San Francisco, one can hardly blame them for not trusting the official appeals process given the continual hostility of city government to scooters.

Indeed, SFMTA's refusal to even issue the maximum number of permits allowed by law shows the degree to which San Francisco officials see e-scooter companies, not as valuable partners offering an innovative new service, but instead as hostile invaders that must be kept at bay.

Photo Credit: Benoit Tessier/REUTERS/Newscom

Christian Britschgi is an associate editor at Reason.

## SFMTA Application Assessment

GUIDING PRINCIPLE	EVALUATION CRITERIA	APPLICANT PROPOSAL SUMMARY	SFMTA ANALYSIS	RATING
<p><b>Safety</b></p>	<p>Strategies to educate and train users should result in safe operations of scooters by riders.</p>	<ul style="list-style-type: none"> <li>• Swipe-through screens</li> <li>• Field staff instructed to proactively educate users about safe riding</li> </ul>	<p>In addition to baseline strategies proposed by most or all other applicants, applicant included some innovative strategies. Training field staff to proactively approach users on safe riding behavior likely to result in safer operations but may not reach all users.</p>	<p>Fair</p>
	<p>Strategies to promote and distribute helmets should result in helmet use by riders.</p>	<ul style="list-style-type: none"> <li>• Free helmet upon request; field staff will encourage helmet use</li> </ul>	<p>Met only baseline strategies proposed by most or all other applicants. Based on the SFMTA's observations during the scooter roll out in spring 2018, these baseline strategies taken alone did not result in high levels of helmet use. Field staff approaching users regarding helmet use is unlikely to improve usage if staff or riders do not have a helmet on hand.</p>	<p>Poor</p>
<p><b>Disabled Access</b></p>	<p>Strategies to ensure properly parked scooters, including any commitments to locking or tethering, should result in parking that does not block the right of way.</p>	<ul style="list-style-type: none"> <li>• Willing to implement locking mechanism but does not recommend implementation</li> <li>• Will require photo for proof of proper parking</li> <li>• Will deploy in "nests" on private property</li> </ul>	<p>Willingness to implement locking technology and variety of additional strategies are likely to result in improved parking behavior compared to scooter roll out in spring 2018; the SFMTA evaluates this strategy at a similar level of effectiveness to most applications.</p>	<p>Fair</p>
	<p>User penalties for poor compliance by users with laws governing scooter operation, including possibility of suspension by the applicant, should support appropriate operation and parking by users.</p>	<ul style="list-style-type: none"> <li>• Provided examples of types of penalties that could be issued, but didn't clearly define when penalties would be levied</li> </ul>	<p>Lack of detail in response underscored lack of commitment to leveraging penalties and incentives.</p>	<p>Poor</p>

	<p>Approach to providing service to low-income residents, including diverse payment options and fare discounts, should reduce barriers to participation.</p>	<ul style="list-style-type: none"> <li>• Over 50% discount for low income users</li> <li>• Limited detail in describing mechanism to participate</li> <li>• Cash option; no mention of SMS option</li> </ul>	<p>Despite significantly discounted rates the SFMTA concludes that low income users would face barriers to accessing applicant's services based on the lack of detail about how users would access/qualify for these benefits.</p>	<p>Poor</p>
<p><b>Equitable Access</b></p>	<p>Service Area beyond the downtown core and commitment to rebalancing should ensure availability of scooters in underserved areas.</p>	<ul style="list-style-type: none"> <li>• With fewer than 750 scooters, would deploy downtown core only</li> <li>• No commitment to redistributing for geographic equity</li> <li>• Would do community outreach first six months to determine expansion proposal</li> <li>• No mention of service hours</li> </ul>	<p>The SFMTA concludes that the applicant's proposed small service area and lack of specific rebalancing plans are insufficient to ensure availability in underserved communities.</p> <p>Note: Plans to conduct outreach to identify more equitable service after 6 months are insufficiently detailed to be considered in evaluation of service area.</p>	<p>Poor</p>
<p><b>Community Outreach</b></p>	<p>Outreach approach should include strategies to ensure that low income residents are aware of service and how to participate.</p>	<ul style="list-style-type: none"> <li>• Mentions outreach to determine where to expand service during second half of pilot to Communities of Concern, for larger numbers of scooters</li> <li>• Mentions but does not describe engagement strategy for providing scooter share service in Communities of Concern that are underserved by transit</li> <li>• Enhanced multilingual communications outreach</li> </ul>	<p>Applicant demonstrates some understanding of the SFMTA's goals to promote low income programs but does not provide sufficient detail as to how that would be accomplished. The SFMTA negatively evaluates this lack of detail as unlikely to ensure that low income residents are aware of services and how to participate.</p>	<p>Poor</p>
	<p>Approach to outreach should ensure that members of the public, including those that choose not to use scooter services, have the opportunity to be heard and to stay informed about program.</p>	<ul style="list-style-type: none"> <li>• Mentions intent to participate in events to be available to answer questions and build community partnerships to be more affordable and accessible; does not articulate plans to address feedback</li> </ul>	<p>Attending events and meeting with stakeholders is a baseline strategy proposed by most applicants; without specific goals or plans to address feedback, the SFMTA negatively evaluates lack of detail as unlikely to result in applicant successfully listening to and addressing community feedback.</p>	<p>Poor</p>

	<p>Should demonstrate understanding of operational needs and resource requirements to ensure service reliability.</p>	<ul style="list-style-type: none"> <li>• Lack of detail regarding operations/rebalancing plan beyond nightly retrieval and recharging</li> <li>• Will hire Fleet Coordinator and Community Manager; rest will be contracted out</li> </ul>	<p>The SFMTA negatively evaluates applicant's lack of detailed strategy for operations and rebalancing as insufficient to ensure safe and reliable operational practices.</p>	<p>Poor</p>
<p><b>Labor</b></p>	<p>Approach to hiring and training employees and/or contractors should ensure that staff have the knowledge and skills to ensure safe operational practices and knowledge of the communities in which they operate.</p>	<ul style="list-style-type: none"> <li>• All field staff (except one Fleet Coordinator and one Community Manager) are independent contractors; this includes maintenance staff</li> <li>• Video training for contractors; contractors are "expected to already have knowledge relevant to the services provided"</li> <li>• No charging facility - chargers charge scooters on their own including in private homes</li> </ul>	<p>The SFMTA negatively evaluates the applicant's reliance on minimally trained independent contractors for charging and in particular for maintenance activities, which could compromise safety and reliability of system.</p>	<p>Poor</p>
<p><b>Sustainability</b></p>	<p>Approaches to operations and disposal should demonstrate commitment to environmental sustainability.</p>	<ul style="list-style-type: none"> <li>• No mention of recycling</li> <li>• No mention of battery recycling</li> <li>• "Damaged beyond repair" units are shipped to Southern California for parts salvage or reuse/proper disposal</li> <li>• Units maintained by independent contractors (likely less training)</li> </ul>	<p>The SFMTA negatively evaluates the applicant's response, which fails to address critical requirements of San Francisco's Zero Waste Policy.</p>	<p>Poor</p>
<p><b>Experience &amp; Qualifications</b></p>	<p>Applicant's experience in operating and maintaining shared mobility systems, in San Francisco and elsewhere as well as applicant's history, and the history of their users, in complying with city regulations should demonstrate their capacity to comply with the terms of the scooter share permit.</p>	<ul style="list-style-type: none"> <li>• Have operated shared scooter systems in SF and scooter share and bikeshare in many cities</li> <li>• Public Works impounded 169 improperly parked Bird scooters and issued 5 violations; the initial violation in the amount of \$1,637.00 was paid, subsequent violations were outstanding with a total of \$13,910.17 owed as of the June 7th application deadline but have since been paid.</li> </ul>	<p>The applicant demonstrates experience operating shared scooter service, but the SFMTA negatively evaluates applicant's history of violations, which indicates that past strategies have been insufficient to ensure user compliance with laws.</p>	<p>Poor</p>

<p><b>Data Transmission &amp; Data Privacy</b></p>	<p>Comply with Transportation Code requirements to provide SFMTA with aggregate demographic data and real time location, and submit a data privacy policy consistent with the Director's guidelines</p>	<ul style="list-style-type: none"> <li>When submitting application, applicant agreed to comply with Transportation Code requirements and Terms and Conditions related to data provision and privacy</li> </ul>	<p>Satisfactory - agrees to comply.</p>	<p>N/A</p>
<p><b>Electronic Payment System</b></p>	<p>Provide electronic payment system compliant with PCI DSS</p>	<ul style="list-style-type: none"> <li>When submitting application, applicant agreed to comply with Transportation Code requirements and Terms and Conditions related to electronic payment systems</li> </ul>	<p>Satisfactory - agrees to comply.</p>	<p>N/A</p>
<p><b>Multilingual Website, Call Center &amp; API</b></p>	<p>Provide a multilingual website with languages determined by SFMTA, call center and mobile application customer interface.</p>	<ul style="list-style-type: none"> <li>When submitting application, applicant agreed to comply with Transportation Code requirements and Terms and Conditions related to customer service including multilingual options</li> </ul>	<p>Satisfactory - agrees to comply.</p>	<p>N/A</p>
<p><b>Financial Assurances</b></p>	<p>Agree to Transportation Code requirements concerning insurance, payment of \$10,000 into public property repair and maintenance endowment, and agree to reimburse the SFMTA for any costs incurred for abating violations of Powered Scooter Share requirements</p>	<ul style="list-style-type: none"> <li>When submitting application, applicant agreed to comply with Transportation Code requirements and Terms and Conditions related to financial assurances</li> </ul>	<p>Satisfactory - agrees to comply.</p>	<p>N/A</p>



# Electronic scooters target of Calif. lawsuit

## Class action cites pedestrian injuries, ' gross negligence '

### THE WASHINGTON POST

The nation's electronic-scooter companies are facing more blowback as concerns rise about the safety of these devices - this time in the form of a class-action lawsuit filed Friday in California.

The lawsuit, filed in Los Angeles County Superior Court, accuses two of the largest e-scooter companies, Lime and Bird, as well as other e-scooter firms, of " gross negligence" and " aiding and abetting assault."

The lawsuit, filed on behalf of eight initial plaintiffs, says the companies ' practices have contributed to injuries in multiple ways. By " dumping" scooters on public streets without an appropriate warning, the suit alleges e-scooter companies acted negligently and should have known that their devices would become a dangerous " public nuisance."

Three plaintiffs claim they were walking when e-scooter riders crashed into them from behind, resulting in severe injuries. The suit alleges that e-scooter companies knew their riders were injuring pedestrians and - by failing to stop the collisions from occurring - assisted and encouraged scooter riders as they committed " assaults."

The suit also states that both companies ' scooters contain defective electronics and mechanical parts, as well inadequate safety instructions for riders and that they have " a wanton disregard for the safety of others." The risks posed by the devices, the suit states, " were known and / or knowable"

based on " professional knowledge " known within the transportation community.

The suit makes numerous claims about scooters ' mechanical issues, but does not provide concrete evidence for those claims.

The suit also names scooter manufacturers Xiaomi United States and Segway as defendants.

Spokespersons for Segway and Xiaomi United States did not respond to a request for comment.

A Lime spokesperson said the company is in the process of reviewing the complaint.

Earlier this month, the Albuquerque City Council approved an ordinance allowing shared transportation vehicles, such as bicycles, scooters, e-bikes, e-scooters and other small, wheeled vehicles, to operate in public rights of way. Lime expressed interest in operating in the city.

# Colorado's Jefferson County Open Space allows Class 1 e-bikes on all trails after pilot program

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Published November 5, 2018

GOLDEN, Colo. (BRAIN) — Following a pilot program begun in February, land managers in Colorado's Jefferson County (Jeffco) Open Space have made Class 1 e-bikes permanently legal on all trails where traditional bikes are allowed — including about 180 miles of natural-surface trails.

Jefferson County is west of Denver and includes the cities of Golden and Lakewood. Class 1 and Class 2 e-bikes also continue to be legal on Jeffco Open Space's paved trails in line state regulations and Jefferson County Traffic and Engineering Division's regional bikeway plans.

During the pilot period, Jeffco Open Space officials gathered feedback from park users about e-bikes and monitored trail impacts. Fifty-nine park users provided comment during the pilot, with 54 percent reacting positively about e-bikes, 29 percent neutral and 17 percent negative, according to Mary Ann Bonnell, visitor services manager for Jeffco Open Space.

"Most of the feedback has been positive. Of course there are always people who think it's a terrible idea, and we listen to that as well. At this point, compared to what we deal with on our 250 miles of trail, it's a pretty small thing," Bonnell said.

Paved trails saw more e-bike use than natural-surface trails during the pilot, and it appears that e-bike users in the 54,000-acre Open Space tend to be more road bikers and urban riders than mountain bikers, Bonnell noted.

"Our paved trails tend to be commuter trails. People are using them to get their cars off the street, and we feel very strongly that's a good for Colorado and for our communities," she said.

The pilot program was preceded by a 2017 research project conducted in five different parks within Jeffco Open Space. In that study, researchers asked park users about their attitudes toward e-bikes and learned about misconceptions around them. They also provided e-bike test rides and asked whether the ride changed the park user's perception of e-bikes. Sixty-five percent said their perception changed, 32 percent said the ride didn't change their view, and 3 percent said they were not sure.

"We didn't take this decision lightly. We spent a lot of time in 2017 researching e-bikes and how people feel about them, and what people perceived the impact would be," Bonnell said.



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## **Electric scooter sharing schemes have popped up in city streets across Spain and elsewhere in Europe**

Electric scooter sharing schemes have popped up in city streets across Spain and elsewhere in Europe (AFP Photo/GABRIEL BOUYS ) Madrid (AFP) - Cities across Spain are grappling with electric scooters that have popped up on sidewalks across the country, helping riders zip around but exasperating drivers and pedestrians.

In Madrid public opinion is divided over the hundreds of electric scooters which California-based start-up Lime -- partly owned by ride-hailing Uber and Google parent company Alphabet -- has made available since mid-August.

Unlike schemes involving shared bicycles that typically must be left in docking stations, the scooters are dockless, leaving riders responsible for parking them out of the way. The next rider can find the nearest scooter with a smartphone app, unlock it and use it for a fee.

Similar electric scooter sharing programmes have been introduced in other European cities including Paris, Vienna and Zurich.

In Madrid, Lime's scooters -- which have already been used over 100,000 times -- are tolerated by the left-wing city hall, intent on reducing pollution.

But the scooters are often left in places where they obstruct sidewalks -- and their users often speed by pedestrians or hog roads.

Last month a video of two people, including a child, wearing masks while they raced along a highway near the Mediterranean port of Valencia on an electric scooter went viral.

"They don't respect anything at all. We need rules. It's crazy. They ride on lanes reserved for buses and taxis. They cross in front of cars," Fernando Sobrino, a 59-year-old taxi driver, told AFP as he waited for passengers in the centre of Madrid.

Jose Manuel, a 55-year-old salesman, complained the scooters "ride on sidewalks without any control".

"There is a risk of getting rear-ended by one as happened to me the other day," he said as he made his way along the Gran Via, a busy shopping street in central Madrid.

- 'Dangerous and annoying' -

The arrival of the scooters in Madrid follows the introduction of a public electric bike share system in June 2014.

Users of the scooters are delighted.

"You move around faster, you can visit more areas, it's relaxing and easy to use," said Monica Rodriguez, 58, at Madrid's bustling Retiro park.

She admitted, though, that the scooters can be "dangerous and annoying for people who are walking".

The introduction of this new form of transport caught big Spanish cities off guard.

In Madrid, which is home to around 3.2 million people, the city hall only adopted measures on Friday.

The scooters are banned on pavements and pedestrian streets, but they are authorised on all roads where the speed limit is 30 kilometres (19 miles) an hour -- a limit set to be implemented soon on 80 percent of the city's streets.

Valencia is set to adopt new rules banning scooters from sidewalks.

- Seizures -

Barcelona, Spain's second-largest city which is overwhelmed by mass tourism, already bans the use of privately owned scooters from sidewalks.

"Self service" scooter rentals like those offered by Lime are banned.

When German firm Wind launched an electric scooter sharing programme in Barcelona in August, within hours police removed the vehicles from the streets.

The municipality of Llobregat near Barcelona stopped Lime from setting up shop.

The scenario was repeated in Valencia, which has an extensive network of bike lanes.

Lime deployed a fleet of scooters in the city in August without authorisation from city hall, which demands a licence for anyone who carries out a commercial activity on public roads.

Lime's scooters were removed and the firm was slapped with a fine. It is now trying to convince Valencia city hall to allow it to pay a fee in exchange for an operating licence.

Lime's representative in Spain, Alvaro Salvat, said he regrets the lack of specific laws for electric scooters in Madrid and most Spanish cities.

"We are the first to ask for them for our users, for residents, so we know where to go and where not to go," he told AFP.



## 4) Meeting Minutes (8/16/17)

Ms. Robinson asked if they can reduce them to 6 feet?

Mr. Romero explained some people won't be happy until they are removed completely. But they can look at that.

Mr. Herdman states his time on the Committee this has happened many times. Traffic calming ideas are always happening without consultation from BTAC.

Ms. Grogan agrees that it was in planning for years, there were three meetings and no one was aware it is disheartening. There is a problem they have to be involved. Funds are limited they need more discussions so everyone feels safe. Bicyclists should not be an afterthought.

Mr. Abbatacola explained the on-road committee had this discussion when the Rail Trail was being planned. In this case, they didn't know about the ENN's, it is disheartening.

Mr. Cooley concurs it really isn't too late to change the refuge to accommodate bike lanes on the next project.

Mr. Pacheco explained that this project is being done in conjunction with the NMDOT. The obstacles of getting the design in they have legal liabilities that BTAC. After the project has already gone through final design it is something that needs caution. It involves a Federal Railway.

Mr. Pacheco there are protocols in place that ensure the committees and boards have input. It is formalized for ADA and Historic Review, they will need to formalize that.

Ms. Robinson states it involves commuting and transportation. Ms. Grogan stated that Councilor Maestas sees bicycling as an economic development opportunity.

**MOTION:** Mr. Cooley requests the On-Road subcommittee meet with City Staff (Councilor Maestas and Mr. Romero) to discuss alternatives to remediate the difficulty with the Alta Vista Street bulb outs and to revisit the size of the median proposed, with a second from Mr. Abbatacola which passed by voice vote.

Ms. Grogan proposes discussion of future projects as an agenda item for a future meeting.

**b. Preliminary discussion of City policy regarding non-motorized vehicles on city trails**

Mr. Pacheco discussed the request for this item. He furnished photos on some areas where there is open space (See Exhibit C). These are currently posted around the City.

Mr. Herdman stated there are not any laws or ordinances that specify the motorized vehicles on the trails. Mr. Pacheco didn't have a chance to review the laws. The sign has no mention of statutes.

Mr. Herdman doesn't recall seeing signage on the River Trail. Mr. Cooley states it is posted on the Acequia

Trail. Mr. Pacheco stated that La Tierra had their own trail signage.

Mr. Herdman discussed the dangers of the speed he sees on the trails. There might be a bigger issue about speeds on the trail, however there is not a way to monitor it.

Mr. Cooley agrees and would hate to see speed limits on the trails. E-bikes provide the opportunity for people who may not be able to cycle due to restrictions. They welcome them on the trail but worries about the nature of the trail in the future for pedestrians. He is divided on the issue.

Mr. Herdman trying to research how fast do they go?

Mr. Bonwell discussed laws in CA. they passed an e-bike law in 2015 there are 3 types: pedal assisted that go 20 mph, throttle assisted that go 20 mph, and speed pedal electric that go up to 28 mph. They recognize the first 2 as separate classes and allow them on multi used paths.

Mr. Newhall sells them they are undefined under NM law. The legislation was written by the e-bike industry. In New York they are still illegal but they are still selling them. A discussion was held about the different types and styles of e-bikes.

Mr. Bonwell stated the club agrees that they should not be allowed. The Forest Service has asked them to post signs at the Forest connections. They will place the 8 x 8 signs. The club doesn't have a position about them on the City trails.

Mr. Abbatacola believes they are going to take off so he is glad to be getting ahead of this. There is a business at the Railyard that rents them out. It can be an economic development opportunity.

Mr. Abbatocola actually has one it is a class 2 and his wife uses the lowest assist level.

A discussion was held about the gears and motors.

Mr. Charlie O'leary owner of O'leary bicycles he has some in his shop. The difference is for transportation or recreation. Some of them you can't tell they have a motor. They sell the type 1, he encouraged the Committee to visit his shop and test drive one.

Ms. Grogan discussed the multi-use trails she can see where they are appropriate, the issue she has is soft surface trails. She is concerned for speed and horses.

Ms. Grogran stated the report from the gentleman, was the person was riding a scooter. Mr. Herdman discussed seeing that and other motorized objects on the trail. Being ahead of the curve is important.

Mr. Herdman proposes to research what other jurisdictions have. He will research and report back.

## **8. BTAC SUBCOMMITTEES**

- **On Road Subcommittee**