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Item 330
Assembly
California Legislature



TODD GLORIA
MAJORITY WHIP
ASSEMBLY MEMBER, SEVENTY-EIGHTH DISTRICT

COMMITTEES
BUSINESS AND PROFESSIONS
HOUSING AND COMMUNITY DEVELOPMENT
VETERANS AFFAIRS
WATER, PARKS, AND WILDLIFE

April 22, 2019

Honorable Council President and Councilmembers
202 C Street, MS 10A
San Diego, CA 92101

Dear Honorable Members of the San Diego City Council,

I write to you today to urge you to take action and implement regulations on dockless scooters and shared mobility devices.

The State of California has enacted some basic, statewide requirements on dockless scooters in the form of Assembly Bill 2989, which I co-authored. These provisions include: requiring scooter operators to have a valid drivers' license, prohibiting double riding, prohibiting riding on the sidewalk, and prohibiting irresponsible parking. These are the only regulations on scooters currently in place today.

While AB 2989 codified important minimum requirements statewide, other cities have implemented additional regulations with the specific needs of their own localities in mind.

In San Diego, Mayor Kevin Faulconer has offered some sensible regulations that I believe are worthy of your support. Most notably, his proposal to require scooter companies to share in the costs associated with enforcement is needed to ensure state and local laws are followed. In addition, the requirement for scooter companies to carry liability insurance and the requirement for these companies to indemnify the City are common sense requirements that should be part of any responsible package of regulations. And finally, the ability to reduce speeds and limit the operation of scooters in high-pedestrian areas will finally address unsafe operation of scooters.

Based on input from a number of communities and conversations with constituents, I respectfully request the Council consider the following recommendations in addition to those proposed by Mayor Faulconer:

- 1. Limit the number of scooter companies permitted to operate.**
Through a RFP process, the city should select three companies to offer dockless scooters/shared mobility devices. The criteria for selection should center on the companies' efforts to promote public safety, rider

education, and plans for equitable distribution of dockless devices throughout the city. Once awarded, the city can determine whether to renew these contracts based on a company's adherence with relevant regulations.

2. **Impose a dynamic cap on the number of scooters allowed to operate.** This will reduce the oversaturation of scooters in the public right-of-way and give the city certainty on how many scooters are in operation at a given time. Companies could only exceed the cap by deploying devices in underserved areas.
3. **Require scooters be parked in identified scooter parking on streets, not sidewalks.** Rather than the "4 by 40" requirement contained in the Mayor's proposal, the city should work quickly to identify staging locations in each council district, with an emphasis on citing staging areas near transit stops.
4. **Require scooter operators to implement maintenance programs.** This ensures damaged and defective scooters are quickly identified and removed. This requirement should include a 24-hour contact to report damaged scooters and a requirement that scooter companies submit maintenance logs for review.
5. **Require a unique identifier (similar to a license plate) clearly visible to pedestrians.** Many residents complain about the inability to report problem riders to police or to the scooter company. Requiring each scooter to have the equivalent of a license plate will better enable members of the public who witness illegal or unsafe operation (such as riding on the sidewalk and minors using these devices) to report.
6. **Limit the hours of operation for shared scooters,** and put strict limits on the hours when scooter companies can pick up scooters for charging and when they can be deployed. This requirement will limit the instances of people using scooters while intoxicated, and will help avoid complaints from residents when scooters are deployed too early in the morning.

In addition to regulations, it is imperative that the Police Department is given the resources necessary to properly enforce any new regulatory scheme. Whether it be state law or these new regulations under consideration, the City should make clear its desire for these types of violations to be an enforcement priority. This proposal should ensure the fees paid by scooter companies are sufficient in order to allow SDPD to prioritize this issue.

Thank you for your consideration of these suggestions. I look forward to your swift action on this matter.

Sincerely,


TODD GLORIA
Assemblymember, 78th District

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CC: Mayor Kevin Faulconer