

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES) DATE  
OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 8 OF THE SAN DIEGO  
MUNICIPAL CODE BY AMENDING Chapter 8: Traffic and Vehicles, Article  
3: Alternative Transportation, Division 3: Shared Mobility Devices  
RELATING TO PERMITTING AND THE OPERATION OF SHARED  
MOBILITY DEVICE RENTAL COMPANIES.

WHEREAS, the City of San Diego's public rights-of-way are designed to  
accommodate pedestrians, including people with disabilities, and are  
heavily utilized by residents and visitors; and

WHEREAS, several businesses that make rented motorized scooters  
(shared mobility devices) readily available for public use in the City through  
technology-based platforms and assert that the safety of the public in  
general, including pedestrians, which include people with impaired mobility  
and impaired vision, is a top priority; and

WHEREAS, the City of San Diego has established a Climate Action Plan to  
reduce carbon emissions in the city; and

WHEREAS, the City of San Diego has established a Mobility Action Plan to  
promote the equitable access to mobility options throughout the city; and

WHEREAS, due to their rapidly expanding availability, there has been a  
significant increase in the use of shared mobility devices operating on City  
rights-of-way and other City- owned property; and

WHEREAS, the proliferation of shared mobility devices creates public  
safety concerns due to the improper use, staging, and parking of devices,  
the excessive speeds in areas used by pedestrians and illegal use on  
streets and walkways where they are prohibited; and

WHEREAS, such concerns include the creation of hazards for the visually  
impaired and the denial of access to the amenities of the city to people with  
mobility impairments thus denying them the ability to travel independently;  
and

WHEREAS, members of City Council prior to the adoption of the ordinance  
governing owners and operators of shared mobility device companies

stated that it was an initial measure to regulate the industry and that it would be amended after six months; and

WHEREAS, six months after the passing of the ordinance, discussions were held between staff in the Mayor's office, Council members' staff and members of the public about measures to be included in a subsequent ordinance, no such ordinance was drafted and none has yet been presented to City Council for adoption; and

WHEREAS, the California Vehicle Code Section 22411 states "No person shall operate a motorized scooter at a speed in excess of 15 miles per hour"; and

WHEREAS, the California Vehicle Code section 21235 (b) limits the use of motorized scooters to roads with a certain speed limit or bikeway availability; and

WHEREAS, the California Vehicle Code 21235 (l) states the operator of a motorized scooter shall not leave a motorized scooter lying on its side on any sidewalk; and

WHEREAS, the California Vehicle Code Section 21657 states a vehicle may only be driven in the direction designated by the authorities in charge of any highway; and

WHEREAS, the City desires to address both compliance with state law and the threat to safety posed by the use of motorized scooters on roads prohibited by state law; and

WHEREAS, by an earlier ordinance the City created a dual staging system that is confusing both for owners of shared mobility device businesses as well as users, being a system of corrals-only staging in downtown and a mixed system allowing staging both on sidewalks and in corrals elsewhere and the staging of rental motorized scooters on sidewalks creates hazards and obstructions for pedestrians and particularly persons with disabilities including the blind; and

WHEREAS, prior to the passing of the City ordinance governing the permitting and operations of shared mobility device owners and operators coming into effect, a letter dated April 22, 2019 from Assembly Member Todd Gloria was received by the City which recommended inclusion in the ordinance of provisions that would:

- limit the number of scooter companies permitted to operate,

- impose a dynamic cap on the number of scooters allowed to operate,
- require scooters to be parked in identified scooter parking in streets, not on sidewalks,
- require scooter operators to implement maintenance programs,
- require a unique identifier (similar to a license plate) clearly visible to pedestrians,
- limit the hours of operation for shared scooters, and
- stated that “it is imperative that the Police Department is given the resources necessary to properly enforce any new regulation scheme... 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”; and

WHEREAS, a report by the 2018/2019 Grand Jury of the County of San Diego issued in 2019 contained recommendations which included “There needs to be more enforcement of existing laws”, and “The 2018/2019 San Diego County Grand Jury recommends the San Diego City Council ask staff to bring forward for their consideration: ... 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.”; and

WHEREAS, California Vehicle Code section 21225 permits the City to regulate the registration of motorized scooters, and the parking and operation of motorized scooters on pedestrian and bicycle facilities and City streets and highways, if such regulations are not in conflict with the California Vehicle Code; and

WHEREAS, California Vehicle Code section 21207.5 allows the City to prohibit the operation of electric bicycles on bicycle paths or trails, equestrian trails, or hiking and recreational trails; and

WHEREAS, California Vehicle Code section 21235 (e) limits the use of motorized scooters to one person only; and

WHEREAS, the City of San Diego has created a system to enable police officers to issue parking citations to registered vehicle owners and to non-DMV registered owners of pedicabs; and

WHEREAS, the City of San Diego's ordinance governing shared mobility device owners and operators §83.0306 (a) (7) requires each permit to specify the labeling of each shared mobility device in the operator's fleet; and

WHEREAS, the City of San Diego is a defendant in a class-action lawsuit filed by Disability Rights California on behalf of disabled plaintiffs allegedly injured by moving, parked or staged motorized rental scooters, affected by the threat of injury, or, who have allegedly been denied access to the amenities of the city by such misplacement; and

WHEREAS, the CA VC 21235 (d) states that to drive a motorized scooter a person must hold a valid driver's license or permit, and the shared mobility device rental operators require their customers to be at least eighteen years old, yet underage and unlicensed drivers continue to rent and drive shared mobility devices; and

WHEREAS, CA Vehicle Code section 465 defines a passenger vehicle as "a motor vehicle used for transportation of persons", and CA Vehicle Code section 14608 states "a person shall not rent a motor vehicle to another person unless both of the following requirements have been met: The renter is licensed and the person renting to another person has inspected the driver's license of the person to whom the vehicle is to be rented and compared either the signature thereon with that of the person to whom the vehicle is to be rented or the photograph thereon with the person to whom the vehicle is to be rented"; and

WHEREAS, CA Vehicle Code 14610 (a) (2) makes it unlawful for any person to lend his driver's license to any other person or knowingly permit the use thereof by another and CA Vehicle Code 14610 (a) (5) makes it unlawful for any person to permit any unlawful use of a driver's license issued to him; and

WHEREAS, records show that a high percentage of severe injuries of drivers of motorized scooters are related to alcohol use and San Diego Police Department records show that a significant proportion of severe injuries occur after 9pm; and

WHEREAS, the City of San Diego has a contract with a private company to remove, relocate and impound shared mobility devices only during limited hours; and

WHEREAS, the City of San Diego does not remove, relocate or impound shared mobility devices using its own directly employed staff; and

WHEREAS, some shared mobility device companies allow their account holders to open multiple vehicles at one time to be used by other drivers, and doing so undermines the licensing requirements of the CA Vehicle Code and hinders SDPD investigations into “hit and run” accidents; and

WHEREAS, operators of shared mobility devices have ground crews or owner/operators to re-locate their vehicles and are thus in the vicinity of their vehicles and also have systems that enable them to identify the location of all their vehicles, and therefore can respond to ADA non-compliance and other misplacement issues quickly; and

WHEREAS, the impounding of vehicles and the revocation of permits provide significant sanctions against some violations of this ordinance, another level of sanctions is needed to implement the ordinance in a timely and appropriate manner;

WHEREAS, a purpose of the City’s Shared Mobility Device permitting scheme is to augment traditional transportation methods with a First Mile/ Last Mile transportation option;

WHEREAS, the City stated in the 2019 ordinance governing Shared Mobility Devices that it desires to create a shared mobility device permit program that will address safety by reducing sidewalk impediments by educating users about proper riding and parking rules, and by creating a legal and enforceable framework for regulating shared mobility devices in the City’s rights-of-way and on City-owned property; and

WHEREAS, the City has created a permitting scheme that requires applicants to have complied with City regulations regarding shared mobility devices; and

WHEREAS, since the creation of its permitting scheme, the City has not denied any application for permits from any motorized scooter rental

company that has applied for them, nor revoked the permit of any motorized scooter rental company granted a permit despite receiving complaints from members of the public about the failure of such companies to comply with the City's regulations regarding shared mobility devices; and

WHEREAS, no criteria for permit renewal nor process for permit revocation exist; and

WHEREAS, a cause of ADA compliance issues associated with the shared mobility device industry is related to the placement of shared mobility devices; and

WHEREAS, one function associated with the sharing of the device is that technology may enable its location to be known to the shared mobility device business; and

WHEREAS, the City of San Diego records staging and parking violations involving motorized rental scooters and that these indicate that such have continued at significant levels since the first ordinance on Shared Mobility Devices came into effect in July 2019; and

WHEREAS, the proposed regulations of shared mobility device rental companies may be enforced by provisions in Chapter 1 of the San Diego Municipal Code;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of San Diego, as follows:

### **§83.0301 Purpose and Intent**

The City Council finds that shared mobility devices are a popular form of transportation and that operators are using technology-based platforms to rent shared mobility devices for public use in the City of San Diego. This Division is enacted to establish a process for permitting the operators to achieve the City's goals of encouraging alternative methods of transportation while protecting public health and safety.

## § 83.0302 Definitions

For purposes of this Division, defined terms appear in italics. The following definitions apply to this Division:

*Electric bicycle* has the same meaning as in *Vehicle Code* section 312.5.

*Fleet* means all *shared mobility devices* in the City owned or managed by a specific shared mobility device **business operator**.

*Geofencing* means the creation of a virtual geographic boundary, defined by Global Positioning System (GPS), radio-frequency identification (RFID), or other technology, that enables an *operator* to regulate speed, issue notifications, and take other actions, when a *shared mobility device* in its fleet enters or leaves an area.

*Motorized scooter* has the same meaning as in *Vehicle Code* section 407.5.

*Motorized bicycle* has the same meaning as in *Vehicle Code* section 406.

*Operator* means a person who manages, or owns, or operates a *shared mobility device business*.

*Permit* means a permit issued to an *operator* under this Division.

*Shared mobility device* means any *motorized scooter*, *electric bicycle*, or *motorized bicycle* by which a natural person can be propelled or moved, that is displayed, offered, or made available for rent **in public spaces activated by use of a software application available** to the public.

***Shared mobility device business* means a legal entity that organizes, or arranges for, the maintenance and physical distribution of shared mobility devices in public spaces, the verification of renters' qualifications and the provision of relevant education.**

## § 83.0303 Other Laws Applicable to Operators

Operators are subject to all applicable laws, rules, and regulations, including those in the San Diego Municipal Code and the *Vehicle Code*, pertaining to the operation and safety standards of **their business and** the shared mobility devices in their fleet.

### § 83.0304 Permit Required

It is unlawful for any *person* to own or operate *manage* a *shared mobility device* business without a *permit* unless otherwise authorized by the City.

### § 83.0305 Application for Permit

(a) The City Manager shall issue *permits* in January and July of each year *not to exceed in total fifty percent of the capacity of corrals*. The City Manager will not accept *permit* applications during any other month.

(b) *An operator shall submit a permit application containing*, at a minimum, the following:

- (1) the operator's name and business address, and the name of the natural person or natural persons who will serve as a local point of contact for the operator for retrieval of any shared mobility device as required by this Division;
- (2) the number and, type *and proposed locations* of all shared mobility devices in the operator's fleet,
- (3) proof of a valid Business Tax Certificate issued in accordance with Chapter 3, Article 1 of this Code;
- (4) proof of insurance naming the City of San Diego as an additional insured in the form and amounts established by the City Manager *and proof of continuing coverage throughout the permit period*;
- (5) proof that the shared mobility devices in the operator's fleet comply with applicable federal and state laws with respect to their design and operation and that the shared mobility devices are maintained in good working order consistent with industry standards;
- (6) proof that the shared mobility devices in the operator's fleet are labeled in accordance with section 83.0306 and as required in the permit;
- (7) proof that the operator's user interface provides *the driver complete and* accurate information about Vehicle Code requirements including state licensing requirements, applicable to the operation of a shared mobility device, *proof that the operator will only rent a vehicle to a person who has a valid driver's license, proof that, in accordance with Vehicle Code Section 14608, when an account is created, or, for an established account before the next rental in the City of San Diego, the operator will verify compare the photograph on*

the renter's driver's license with the person to whom the vehicle is to be rented, and proof that the operator will not accept the license of a person under the operator's adopted age requirements as valid identification to operate a shared mobility device;

(8) proof that the operator has established an application program interface or other automated mechanism that allows the operator to share and integrate its data as required in this Division;

(9) data collected by the operator during the calendar month immediately prior to the operator's application for all shared mobility devices in the operator's fleet, as required by this Division and as further described in the application documents prepared by the City Manager;

(10) a performance bond or similar security, acceptable to the City Manager, based on the number of shared mobility devices in the operator's fleet and guaranteeing that the operator will remove all its shared mobility devices from the City if the operator's permit is terminated or expires, in an amount that the City Manager determines is sufficient to cover the cost for the City to collect and dispose of the operator's fleet; and

(11) proof of a 24-hour hotline to report damaged scooters for removal and of a process to immediately remove scooters in violation of the ordinance; and

(12) evidence of a method for the public to report to the operator the misuse of scooters, such as driving on sidewalks and streets where doing so is illegal; and

~~(11)~~ (13) any other information required by the City Manager, as permitted by law.

Failure to provide proof of any of the foregoing items (1) through (13) inclusive will lead to the denial of a permit application.

In the event that an operator has previously been granted a permit, evidence of both satisfactory performance on the criteria above and compliance with the terms of that permit and this ordinance shall be considered in the permit application process.

~~(c) With its permit application, an operator may request a temporary increase in fleet size for up to 10 days each calendar year as specified in the permit, that total not more than 20 percent of the operator's permitted fleet. The operator shall pay an additional non-refundable fee for each~~

~~additional shared mobility device temporarily added to its fleet, in accordance with the fee schedule established by resolution of the City Council and filed in the Office of the City Clerk.~~

(d) The City Manager may make other rules and regulations reasonably necessary to implement this Division.

### **§ 83.0306 Terms and Issuance of Permits**

(a) Each permit shall contain the following:

(1) the types of shared mobility devices the operator is authorized to deploy;

(2) the number of each type of shared mobility device permitted in the operator's fleet, ~~including any temporary increase in the fleet permitted in accordance with section 83.0305(c);~~

(3) locations identified in this Division and any additional locations identified by the City Manager where an operator shall reduce the speed of the operator's shared mobility devices through geofencing or similar technology;

(4) locations identified in this Division and any additional locations identified by the City Manager where an operator shall use geofencing or similar technology to prevent any shared mobility device from being locked or parked or ending a ride;

(5) the operator's agreement to share specified data with the City, the San Diego Association of Governments, and any third-party contractor of the City through an application program interface or similar technology;

(6) the operator's agreement to indemnify, defend, and hold the City harmless from claims and damages arising out of or related to the operator's activities under the permit or the operation of its business in the City; and.

(7) specifications on the labeling of each electric scooter or motorized scooter in the operator's fleet, including labeling on each electric scooter and motorized scooter that is clearly visible and in at least 40-point font, stating "Riding on Sidewalks is Prohibited", "One Person Only" and any minimum age requirements adopted by the operator.

(8) specifications of a unique identifier, (like a license plate), attached to the handlebars and stem of each shared mobility device that conforms to the size and legibility requirements of a license plate issued by the DMV and is clearly visible to members of the public and

the police. The operator shall maintain a database connecting this unique identifier with the device's QR code or similar code.

(9) specifications of technology on each motorized scooter to identify to the SMD business when the device is lying on its side.

(10) the operator's agreement to prevent more than one device being activated at a time by an account holder.

(b) The City Manager shall issue a permit upon the operator's payment of fees required in this Division and the City Manager's determination that the operator's permit application is complete, accurate, and in compliance with this Division and, for applications to renew a permit, compliant with the criteria set out in the City's permit renewal process.

(c) Permits shall be effective upon signature by the operator. Permits shall expire on the first occurring July 31st following the January date of issuance or the first occurring January 31st following the July date of issuance and are not transferable.

(d) The City Manager may shall adopt a process to renew permits for operators who are in compliance with this Division and the terms of their current permit. Criteria used to deny a renewal permit shall be delineated. Renewal permits shall be subject to additional terms and conditions consistent with this Division, including any increase in adopted permit fees.

### **§ 83.0307 Permit Fees**

(a) Operators shall bear the cost of reviewing and processing applications for permits and of permit administration and enforcement. All permit applications shall be accompanied by a non-refundable application fee in accordance with the fee schedule established by resolution of the City Council and filed in the Office of the City Clerk, which will cover the cost of processing the permit application and administration and enforcement of the permit.

(b) Operators shall include a non-refundable fee for each shared mobility device in the operator's fleet for use of City property (hereafter, per-device fee), in accordance with the fee schedule established by resolution of the City Council and filed in the Office of the City Clerk.

(1) If the operator adopts a program, acceptable to the City Manager, to provide increased ridership opportunities to low income individuals, the City Manager will charge a reduced per-device fee in accordance with the fee schedule established by resolution of the City Council and filed in the Office of the City Clerk. Acceptable programs include discounts, equitable distribution, or methods to unlock shared mobility devices without a credit card or handheld mobile device.

(2) To qualify for the reduced per-device fee, the operator shall provide evidence of its program to the City Manager with its permit application.

### **§ 83.0308 Geofencing Speed and Operating Restrictions**

(a) Through geofencing or similar technology, an operator shall reduce the speed of any motorized scooters and motorized bicycles in the operator's fleet to eight miles per hour or less at the following locations:

- (1) on the public walkways within Balboa Park;
- (2) on the public walkways within Liberty Station NTC Park; and
- (3) on the public walkways within Spanish Landing Park and Trail.

(b) Through geofencing or similar technology, an operator shall prevent any motorized scooters and motorized bicycles in the operator's fleet from being locked, parked, or ending a ride, and shall reduce the speed of its motorized scooters and motorized bicycles to eight miles per hour on the public right-of-way within the Petco Ballpark Zone, as defined in Chapter 8, Article 3, Division 1 of this Code.

(c) To effectuate the ban on the operation of motorized transportation devices on the City's boardwalks and baywalks pursuant to Municipal Code section 84.18, **and streets pursuant to State Vehicle Code section 21235**, an operator shall, through geofencing or similar technology, prevent any motorized scooters and motorized bicycles in the operator's fleet from being locked, parked, staged, or ending a ride, and shall reduce the speed of any motorized scooters and motorized bicycles in its fleet to a maximum of three miles per hour at the following locations:

- (1) Martin Luther King Promenade, as defined in Chapter 8, Article 3, Division 1 of this Code;
- (2) North and South Embarcadero pedestrian walk;

- (3) The pedestrian area on West Date Street east of India Street and west of Columbia Street, known as the Piazza della Famiglia;
  - (4) on the public walkway on Ocean Front Walk in Mission Beach, beginning at the South Mission Beach Jetty northward to the terminus of the public walkway at Ocean Boulevard at Law Street in Pacific Beach;
  - (5) on the public walkway on the west side of Mission Bay Park from San Diego Place (adjacent to the South Mission Beach Jetty) to Corona Oriente Road (terminus of Crown Point Park), known as Bayside Walk;
  - (6) on the public walkway on the east side of Mission Bay Park from De Anza Road southward to the South Shores Boat Launch and Park
  - (7) on the boardwalk from Avenida De La Playa (adjacent to La Jolla Shores) north to the terminus of La Jolla Shores Park at its northeast corner; and
  - (8) on any street where the driving of such vehicles is prohibited by state law; and
  - (9) those sections of Fifth Avenue between Harbor Drive and Broadway closed to vehicular traffic; and
  - (10) any street in the City's "Slow Streets" program.
- (d) through geofencing or other technology the operator shall limit operation of its fleet to the hours of 6am to 9pm or to coincide with the hours of the City's impounding service if the impounding service's hours are shorter; and
  - (e) the operator shall prevent a user account from initiating more than one shared mobility device at a time; and
  - (f) the operator shall, through geofencing or similar technology, reduce to 3mph the speed of any of the shared mobility devices in the operator's fleet if driven the wrong way on a one-way street,

### **§ 83.0309 Data Sharing**

- (a) Operators shall provide anonymized data in the General Bikeshare Feed Specification (GBFS) and Mobility Data Specification (MDS) formats to the City Manager, the San Diego Association of Governments, and any authorized third-party contractor of the City through an application program interface made available to the City.

(b) The City Manager may adopt additional data sharing requirements that provide the City, the San Diego Association of Governments, and any authorized third-party contractor of the City with real-time and collected shared mobility device data available through the operator's application program interface. The City Manager may require operators to distribute surveys to their users.

(c) Operators shall anonymize all data shared with the City, the San Diego Association of Governments, or any authorized third-party contractor of the City.

(d) Operators shall comply with applicable federal, state, and local data privacy laws to protect the privacy of any personal information they receive.

(e) Operators shall maintain logs of the maintenance of their vehicles for review by the City at least two weeks before re-applying for one or more permits. Inadequate logs may be grounds for the refusal of a permit application.

### § 83.0310 Staging of Shared Mobility Devices

(a) Shared mobility devices shall not be parked, displayed, offered, or made available for rent:

(1) in violation of this Division or the Vehicle Code;

~~(2) within 40 feet of another shared mobility device on a City sidewalk or other City property located in the beach impact area in the Parking Impact Overlay Zone as defined in Chapter 13, Article 2, Division 8 of this Code, except in groups of up to four where the shared mobility devices are spaced no more than one foot apart. This section 83.0310(a)(2) does not prohibit shared mobility devices from being placed in any location designated by the City for shared mobility devices;~~

~~(3) (2) on a any City sidewalk, promenade or alley located anywhere in the City. in the Downtown Community Plan area as defined in Chapter 15, Article 6, Division 3 of this Code. This section 83.0310(a) (3) does not prohibit s~~ Shared mobility devices from being **shall only be placed, parked or staged** in any location **only** in the street **and only in locations** designated by the City for shared mobility devices. **The City's emphasis will be to locate additional in-street staging areas near transit stops and in under-served neighborhoods;**

- ~~(4) on City sidewalks or other City property on the block adjacent to a location designated by the City for shared mobility devices;~~
- ~~(5)~~ (3) in Disabled Persons Parking Zones;
- ~~(6)~~ (4) within 500 feet of a hospital;
- ~~(7)~~ (5) within 500 feet of a school that offers instruction on those courses of study required by the California Education Code or that is maintained pursuant to standards set by the State Board of Education. "School" for purposes of this Division does not include a vocational or professional institution or an institution of higher education, including a community or junior college, college, or university;
- ~~(8)~~ (6) within six feet in any direction of any sign marking a designated bus stop or trolley stop or within six feet in any direction of any transit shelter, bench, or information kiosk associated with the bus stop or trolley stop;
- (7) within fifteen (15) feet of a fire hydrant.
- (8) in a street during the hours noticed for street sweeping.

(b) The shared mobility device business shall immediately relocate to a City-designated location, any of its rentable shared mobility devices that are not in a location designated by the City. Any of its devices that are not rentable shall not be placed in, and shall be immediately removed from, the public domain.

~~(b)~~ (c) Every operator is subject to all applicable parking provisions of the Vehicle Code and the San Diego Municipal Code.

### § 83.0311 Retrieval, Relocation and Impoundment of Shared Mobility Devices and Fines Schedule

~~(a) Within three hours of notice from the City, a~~ An operator shall immediately retrieve its shared mobility device that is in any of the following conditions:

- (1) inoperable or not safe to operate and parked on a City, street, sidewalk, or other City property;
- (2) parked, displayed, offered, or made available for rent in violation of this Division or the Vehicle Code; or

(3) parked on a City street, sidewalk, or other City property in a manner that prevents a reasonable person from safely renting or operating the shared mobility device; or

(4) lying on its side.

(b) The City may, **without notice, at its discretion relocate to a City designated location or** impound a shared mobility device that is:

1. **not retrieved located in a City designated location**~~within three one hours of notice to the operator;~~ or
2. in a condition or parked in **a** manner that poses an *imminent life safety hazard*, as defined in Chapter 1 of this Code; **or** ~~impound may be immediate and no notice is required; or~~

**3. in the street blocking street sweeping.**

(c) Operators shall bear the cost of the City's enforcement, investigation, storage, and impound through fees charged on any impounded shared mobility device, in accordance with the fee schedule established by resolution of the City Council and filed in the Office of the City Clerk.

(d) No operator may retrieve an impounded shared mobility device without first demonstrating proof of ownership and payment of the applicable impound fees, **finest and citations.**

**(e) The City shall develop and impose a schedule of monetary fines for companies that fail to abide by the regulations governing shared mobility device operators and established by resolution of the City Council and filed in the Office of the City Clerk.**

**(f) The City shall develop a citation process for the San Diego Police Department to issue citations to the operator of shared mobility devices for illegally parked or staged devices in violation of either the CA Vehicle Code or this Division.**

**(g) Monetary fines and parking citations are separate from, and possibly in addition to, any impounding fee that may be charged.**

## **§ 83.0312 Revocation of Permit**

1. In addition to the remedies provided in Chapter 1 of this Code, the City Manager may revoke an *operator's permit* if the *operator* violates any provision of this Division or the terms of the *permit*. If the City revokes an *operator's permit*, the *operator* shall wait at least six months from the date the *permit* was revoked before applying for a *permit* pursuant to section 83.0305.
2. The City shall create a revocation process to clearly identify revocable offenses.

## **§ 83.0313 Removal of Fleet Upon Permit Termination or Expiration**

Within ten business days of the termination or expiration of an operator's permit, the operator shall remove its fleet from operation within the City and shall retrieve any shared mobility devices impounded by the City. If the operator fails to remove or retrieve any of its shared mobility devices, the City may remove and dispose of the shared mobility devices at the operator's cost.