



June 5, 2019

**The Honorable Laura Friedman
California State Assembly
State Capitol, Room 2137
Sacramento, CA 95814**

Re: OPPOSE – AB 1112 (Friedman) – Local Regulations for Shared Mobility Devices

Dear Assemblymember Friedman:

On behalf of the Los Angeles Department of Transportation, San Francisco Municipal Transportation Agency, the City of Santa Monica, San Jose Department of Transportation, and Oakland Department of Transportation, we regret to inform you that we oppose your bill, AB 1112, which we believe unduly restricts the ability of local jurisdictions to effectively regulate shared mobility device operators, including those who operate docked and dockless bikeshare, and shared e-scooter programs in our cities. We are still reviewing the most recent amendments published on June 3rd, and look forward to discussing them with your staff.

After the unregulated launch of shared mobility devices, including dockless bikeshare and e-scooter shares across the State, many local jurisdictions, including Los Angeles, San Francisco, Santa Monica, Oakland, and San Jose, moved quickly to create thoughtful pilot regulations that enabled use of the devices while addressing significant local public safety, accessibility, and equity concerns. As all five cities' pilot programs are currently underway, we believe it is premature for the State to take action in this area, and the State should instead wait to see how existing pilots develop before determining whether and what limits on local regulation are appropriate.

Cities are responsible for the operation and maintenance of, and enforcement on public streets and sidewalks. Cities need effective tools to meet public needs and expectations, and in its current form, AB 1112 too severely limits these tools. Our cities have engaged with this new transportation alternative; but we are concerned that the inability to effectively manage them will result in public safety hazards and drive cities to simply ban them. We request the following amendments to AB 1112 to ensure we continue to meet our shared mobility safety, accessibility, and equity goals, as well as maintain the ability to ensure compliance with our existing permit program requirements.

1. Permit Reasonable Local Regulatory Requirements

- A. Clarify that local authorities may impose reasonable requirements appropriate to protect the public health, safety, and welfare including (but not limited to):

- Reasonable limitations on the number of providers and devices allowed to operate within the jurisdiction;
 - Reasonable limitations on the areas and speeds at which devices can be operated, including banning sidewalk riding and limiting speeds in congested areas;
 - Ensure accessibility and compliance with Americans with Disabilities Act (ADA) through guidelines prohibiting parking that blocks sidewalks or curb ramps;
 - Ensure equitable geographic access to historically disadvantaged communities, that is, communities that have historically suffered from economic underdevelopment or have otherwise been under-served by the private and/or public sectors;
 - Ensure equitable socioeconomic access by requiring shared mobility device providers to provide discounted membership programs for low-income populations; and
 - Setting minimum insurance and liability requirements
- B. Specify that a complete ban on shared mobility devices is permissible and that, in the absence of such a ban, while a city may not impose a set of regulations that effectively makes operation within the jurisdiction impossible, the burden of demonstrating that this is the case rests on the individual or entity challenging the city's regulations.
- C. Clarify that cities may require riders of shared mobility devices to review safe riding and parking requirements prior to riding, even though a similar requirement is not imposed on riders of personally owned similar devices.
- D. Modify the requirement for a unique alphanumeric ID to require visibility at ten feet rather than five feet.

2. Restore Authority to Require Data Necessary to Regulate

We seek a balance of regulatory and privacy concerns to permit cities to require shared mobility device providers to provide non-aggregated, individual trip data that does not contain consumer identifiers, which is essential to meaningful efforts to regulate shared mobility devices in the public right of way, but only where certain privacy and business practices are in place.

- A. To ensure privacy, city data requirements would ensure:
- The data does not contain consumer identifiers; the city has implemented technical safeguards that prohibit reidentification of the individual consumers to whom it pertains;

- The city has implemented business processes that specifically prohibit reidentification of the individual consumers to whom it pertains;
 - The city has implemented business processes to prevent inadvertent release of the information;
 - The city makes no attempt to reidentify the individual consumers to whom it pertains;
- B. Specify that the individual trip data obtained by cities shall be confidential and exempt from disclosure under the Public Records Act.
- C. Specify that any individual trip data would be required to be deidentified and aggregated prior to any publication.
- D. Clarify that cities can require individual trip data for any trip, any part of which occurs within the city's jurisdiction, and are not limited to just trips that begin or end in the jurisdiction.

Thank you for your consideration of our concerns, and we look forward to working with your office on amendments to this bill.

Sincerely,

**Seleta Reynolds
General Manager
LA Department Of Transportation**

**Edward D. Reiskin
Director of Transportation
San Francisco Municipal Transportation Agency**

**Gleam Davis
Mayor
City of Santa Monica**

**John Ristow
Director
City of San José Department of Transportation**

**Ryan Russo
Director
Oakland Department of Transportation**