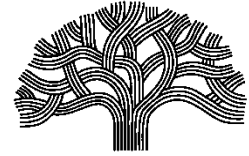


CITY OF OAKLAND



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August 24, 2020

The Honorable Al Muratsuchi
California State Assembly
State Capitol, Room 2179
Sacramento, CA 95814

RE: Assembly Bill 1286 (Muratsuchi) Oppose unless amended from the Oakland Mayor

Dear Assemblymember Muratsuchi:

As the Mayor of the City of Oakland, I regretfully oppose AB 1286 unless amended and am committed to working with you and your office on amendments.

As background, the City of Oakland supports micro mobility options like scooters and bike share programs as they help get people out of single occupancy vehicles and onto cleaner transportation modes. We are also supportive of the pieces of AB 1286 that would require mobility service providers to enter agreements or obtain permits from local jurisdictions. The City of Oakland is proud to have created a model permitting program that documents clear guiding principles, is centered on advancing racial equity through sustainable transportation options and encourages authentic engagement between industry service providers and community representatives.

The reason why we are opposed unless amended is because of the provisions to prohibit mobility service providers from issuing waivers. We have heard from multiple providers that eliminating the waivers will cause a significant rise in insurance costs and therefore raise prices for consumers. We want micro mobility services to be affordable to a large segment of our population and for people to use them as a cleaner transportation mode. Most importantly, as our award-winning Bicycle Master Plan documented, price is a leading factor for why many low-income Oaklanders choose micro-mobility options to travel throughout the city.

Our proposed amendments would strike through section 2505 (2) so the bill would read:

(1) “Shared mobility device” means an electrically motorized board as defined in Section 313.5 of the Vehicle Code, motorized scooter as defined in Section 407.5 of the Vehicle Code, electric bicycle as defined in Section 312.5 of the Vehicle Code, bicycle as defined in Section 231 of the Vehicle Code, or other similar personal transportation device, except as provided in subdivision (b) of Section 415 of the Vehicle Code, that is made available to the public by a shared mobility service provider for shared use and transportation in exchange for financial compensation via a digital application or other electronic or digital platform.

(2) “Shared mobility service provider” or “provider” means a person or entity that offers, makes available, or provides a shared mobility device in exchange for financial compensation or membership via a digital application or other electronic or digital platform.

(b) Before distribution of a shared mobility device, a shared mobility service provider shall enter into an agreement with, or obtain a permit from, the city or county with jurisdiction over the area of use. The agreement or permit shall, at a minimum, require that the provider comply with both of the following requirements:

(1) *Require that* the shared mobility service provider to maintain commercial general liability insurance coverage with a carrier doing business in California, with limits not less than one million dollars (\$1,000,000) for each occurrence for bodily injury or property damage, including contractual liability, personal injury, and product liability and completed operations, and not less than five million dollars (\$5,000,000) aggregate for all occurrences during the policy period. The insurance shall not exclude coverage for injuries or damages caused by the shared mobility service provider to the shared mobility device user.

~~(2) The shared mobility provider agreement between the provider and a user shall not contain a provision by which the user waives, releases, or in any way limits their legal rights or remedies under the agreement.~~

I look forward to continued conversations about AB 1286 and appreciate your consideration of our suggested amendments.

Sincerely,



Libby Schaaf
Mayor