



August 25, 2020

California State Senate
State Capitol
Sacramento, CA 95814

Re: Oppose California Assembly Bill (AB) 1286

Dear Senator:

The Bay Area Council, SPUR, and the Silicon Valley Leadership Group ask that you oppose AB 1286 (Muratsuchi). Together, our organizations have been working on transportation issues in the Bay Area for a combined total of over 200 years. Collectively, we have led all the major regional transportation revenue measures over the past decades and many more county transportation revenue measures.

We strongly urge you to oppose AB 1286 on the Senate floor.

AB 1286 would threaten the existence of shared micromobility services in California — bikes, ebikes, and scooters -- by subjecting them to intolerable and unfair levels of liability exposure and making it financially unviable to operate. Eliminating these legal protections would be unprecedented -- no industry in California is subject to such a standard. Rental car companies, by contrast, require all users to sign liability waivers. In addition, a federal law called the Graves Amendment protects car rental agencies from suits based on their vicarious liability as vehicle owners. Passed in 2005, the law effectively bars lawsuits against automobile rental companies for injuries or damage that arise out of their customers' use of rental vehicles. The State of California should not further tilt our legal system towards cars and away from sustainable transportation modes, nor shut down a socially distant and sustainable mode of transportation that has been a lifeline for essential workers during a global pandemic.

Now more than ever, our communities need these open-air socially-distant sustainable micromobility services. The shared micromobility industry has provided Californians with tens of millions of zero-emission transportation trips on bicycles, e-bikes, and e-scooters. Imposing this liability type of standard is likely to eliminate micromobility services or significantly increase their costs, which would have a devastating impact on all those who rely on them, and especially low-income workers.

Micromobility services have been rolled out, especially in recent years, in close partnership with California cities to help achieve shared sustainability, congestion, and equity goals. The City of Oakland, for instance, has 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.

As a result of this close partnership with California cities, micromobility services have:

- successfully eliminated tens of millions of car trips from our city streets;
- improved transit access for millions of Californians; and
- provided free, socially distant transportation to essential workers.

AB 1286 would also have a potentially devastating impact on hundreds of industry workers, many of whom are in W-2 jobs that provide full benefits including healthcare.

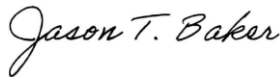
This is the time to accelerate common-sense and sustainable transportation projects that make limited public dollars go further and stimulate economic recovery. Given the vital role micromobility plays during these challenging times and its positive impact on our community by advancing equitable mobility and economic recovery, curbing traffic congestion and reducing carbon emissions, we strongly urge you to **oppose AB 1286 on the Senate floor.**

We remain open to working with the author and sponsors to bring back a bill that would improve consumer protections and enable the effective regulation of micromobility services in a coming year.

Sincerely,



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Bay Area Council



Jason Baker
Vice President, Transportation,
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Silicon Valley Leadership
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Nick Josefowitz
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