Igor Tregub, Councilmember District 4

REVISED
AGENDA MATERIAL
for Supplemental Packet 1

Meeting Date: 1.21.2026

Item Number: 2

Item Description: **Referral: Strengthen Berkeley's Micromobility Regulatory Framework to Improve Public Safety, ADA Accessibility, and Operator Accountability**

Submitted by: **Councilmember Igor Tregub (Author)**

Summary of Changes: Following consultation with City staff, various stakeholders, and other community-based stakeholders—and in recognition of limited City resources—the item has been revised as follows

- Revise “RECOMMENDATIONS” section as follows: “Refer to the City Manager, City/UC Relations Committee, Transportation and Infrastructure Commission, and Commission on Disabilities the development of recommendations to enhance safety and eliminate or reduce conflicts between shared micromobility devices and pedestrians/wheelchair users on Berkeley’s sidewalks.”
- Updated “CURRENT SITUATION AND ITS EFFECTS” and “BACKGROUND” sections to reflect developments that have taken place since this item was first submitted
- Added a new “ALTERNATIVE MEASURES CONSIDERED” section to capture previously proposed recommendations
- Added a “RATIONALE FOR RECOMMENDATION” section
- Revised “FINANCIAL IMPLICATIONS” to reflect the anticipated cost neutrality or negligible cost associated with the revised recommendation

Igor Tregub, **Councilmember, District 4**

To: Honorable Mayor and Members of the City Council

From: Councilmember Igor Tregub (Author), Councilmember Brent Blackaby (Co-Sponsor)

Subject: Referral: Strengthen Berkeley's Micromobility Regulatory Framework to Improve Public Safety, ADA Accessibility, and Operator Accountability

RECOMMENDATION

Refer to the City Manager, City/UC Relations Committee, Transportation and Infrastructure Commission, and Commission on Disabilities the development of recommendations to enhance safety and eliminate or reduce conflicts between shared micromobility devices and pedestrians/wheelchair users on Berkeley's sidewalks.

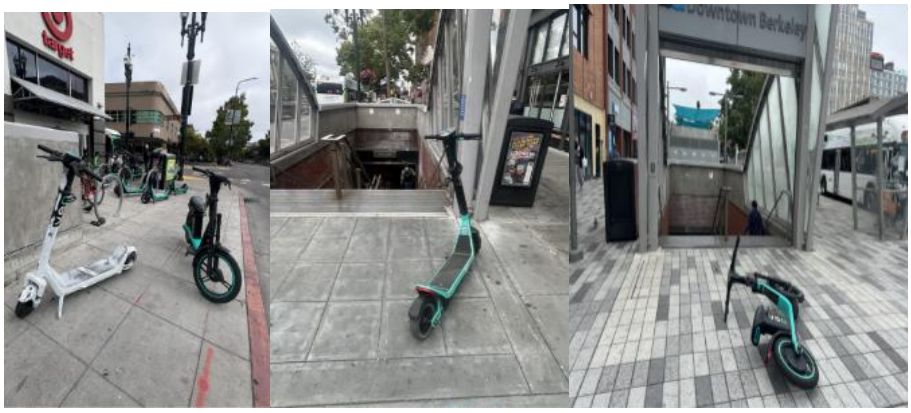
RATIONALE FOR RECOMMENDATION

This item supports a key priority for the District 4 Council office and the City of Berkeley as a whole: ensuring that our public spaces are safe and accessible to all. Following consultation with city staff, various community stakeholders, and micromobility providers, in response to comments from the Facilities, Infrastructure, Transportation, and Environmental Sustainability (FITES) Committee, and in recognition of limited City resources, the recommendation prioritizes the education of micromobility users in safety requirements and protocols to ensure our sidewalks remain safe and accessible to all. We expect micromobility companies to be responsible stewards of their industry and trusted partners in the community, as safe and inclusive micromobility benefits everyone, including the companies themselves. Should these educational efforts be insufficient in and of themselves to effect the abovementioned goal, a range of potential options, outlined in the "Alternative Measures Considered" section of this report, could also be considered as staff capacity and financial resources become available.

CURRENT SITUATION AND ITS EFFECTS

Micromobility devices including e-scooters, bikes, e-bikes, skateboards, and hoverboards have become an increasingly popular mode of transportation in Berkeley, providing sustainable, low-emission, and convenient first- and last-mile travel options.[1] Currently, Berkeley has approximately 200 Lime scooters and 800 devices, including scooters and e-bikes, operated by Veo Micromobility,[2] reflecting the growing presence of shared micromobility options. However, current regulations and enforcement mechanisms have not kept pace with the challenges posed by their growing use and need to be closer aligned with Vision Zero Action Plan passed by the City in 2018.[3]

Improperly parked devices routinely block sidewalks, curb ramps, and transit access points, creating hazards for seniors, people with disabilities, and pedestrians. Unsafe riding behaviors including sidewalk riding, speeding, and double riding continue to be reported, yet the city lacks clear, publicly accessible reporting channels specific to micromobility.[4]



Examples of improperly parked Veo Micromobility and personal micromobility devices on Shattuck Avenue, Berkeley, CA, Summer 2025.

In Berkeley, micromobility vendors have the primary responsibility for enforcing the rules on their customers and to address noncompliance, including through disincentives (e.g., penalties on riders who violate the terms of their agreement with the vendor up to a prohibition on future use of the platform) and physically addressing issues in the field (e.g., picking up and moving poorly parked vehicles for example within a defined timeframe).

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[1] U.S. Department of Transportation, Climate Change Center "Shared Micromobility & Micro Transit" https://www.transportation.gov/sites/dot.gov/files/2025-01/Shared%20Micromobility%20%26%20Microtransit.pdf

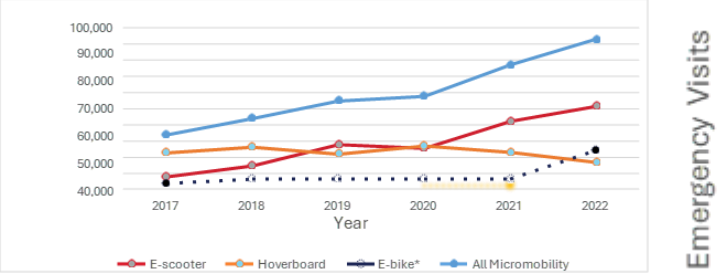
[2] Kwok, Iris. Berkeleyside. https://www.berkeleyside.org/2024/07/05/berkeley-fleet-of-lime-rental-e-scooters

[3] Berkeley Vision Zero Action Plan https://berkeleyca.gov/sites/default/files/2022-02/Vision-Zero-Annual-Report-2020-2021.pdf

[4] Berkeley Police Department, "Annual Traffic Safety Report," 2023 (internal document).

The City of Berkeley, particularly the Public Works Transportation Department, has a secondary role in inspecting the streets, document poor behavior, notify device operators, and, when necessary, fine vendors for poor performance of the terms of their contract with the city. The City of Berkeley currently provides detailed information for members of the public to report poor behavior and how to help us monitor and report items to the device operators. Public participation helps expand the reach of our inspection and data collection. While this information is currently concentrated on a single webpage, opportunities exist to disseminate it more broadly beyond providing it through mayor and council newsletters.[5]

The U.S. Consumer Product Safety Commission reports over 50,000 emergency department visits linked to e-scooter use nationwide in recent years, underscoring the urgent need for clear enforcement, public education, and infrastructure improvements to mitigate risks and enhance public safety. Overall emergency department visits associated with micromobility increased significantly from 2017 to 2022.[6]



In addition to a documented increase in collisions involving micromobility devices in Berkeley, several of which have tragically led to serious injuries or even fatalities, the District 4 office routinely receives complaints of shared micromobility devices in the downtown being improperly parked (e.g., blocking sidewalks and points of ingress to crosswalks and BART stations) or users of shared micromobility devices riding on the sidewalk.

Based on a number of instances of noncompliance with terms of micromobility contracts with the city (e.g., documented instances of illegally parked scooters not being picked up within the designated time frame required per their contract), the previous current accountability structure appeared to be less than adequate. The current City of Berkeley micromobility payment structure is $1500 per vendor application fee, a $15,000 Annual Operating Fee per vendor, and a permitting fee of $64 per vehicle. The penalty structure is $27 per violation if the City of Berkeley or member of the public submits a violation

[5] City of Berkeley, https://berkeleyca.gov/city-services/getting-around/shared-bikes-and-scooters
[6] https://www.cpsc.gov/s3fs-public/Micromobility-Products-Related-Deaths-Injuries-and-Hazard-Patterns-2017-2022.pdf

ticket, and the vendor does not respond within 72 hours. The penalty rises to $127 per violation if the noncompliance occurs in an ADA zone or the blocking a sidewalk or entrance way. Several jurisdictions with comparable micromobility use cases appear to have a fee and penalty structure that imposes higher fees and penalties than Berkeley.[7]

On September 30, 2025, the City Council unanimously adopted a referral to the City Manager in collaboration with the City Attorney's Office to develop proposed increases to the shared micromobility program fees and return to Council within 120 days. The proposed amendments would evaluate adjustments to the application fee, operating fee, fee per vehicle, and fee per ride.[8]

Since this item was first introduced, several positive changes have been observed, including improved organization of micromobility devices within designated areas, indicating that the City's efforts are beginning to pay off. Transportation Division staff have confirmed that the Public Works Parking Services and Traffic Maintenance team did an excellent job expediting the design and rollout of a pilot involving physical infrastructure improvements such as dedicated corrals and designated parking locations for shared micromobility devices. These improvements have been discussed with micromobility device vendors and are anticipated to be funded through possible future increases in micromobility vendor or user fees subject to the abovementioned Council referral.

As part of the pilot, the primary objective remains maintaining clear, continuous, ADA-compliant pedestrian access at all times, with placement prioritized in daylit areas and red-curbed zones where feasible to minimize sidewalk impacts. In many locations, this approach is working well and likely explains some of the improved organization observed; however, there are a few constrained locations where no daylit areas or red curbing are available. In those limited cases, sidewalk placement may be used only where required ADA clearances can be fully maintained, and this is intended to be the exception, not the norm.

In addition to a documented increase in collisions involving micromobility devices in Berkeley, several of which have tragically led to serious injuries or even fatalities, the District 4 office routinely receives complaints of shared micromobility devices in the downtown being improperly parked (e.g., blocking sidewalks and points of ingress to crosswalks and BART stations) or users of shared micromobility devices riding on the sidewalk.

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[7]City of Berkeley, https://berkeleyca.gov/sites/default/files/documents/2025-09-30%20Item%2015%20Refer%20to%20the%20City%20Manager%20in%20Collaboration%20with%20the%20CAO.pdf

[8]*ibid.*

The District 4 office has been in communication with the micromobility vendors regarding other technological advances to help them monitor and modify user behavior in real time, which at least one of the vendors is expecting to roll out in the future. These include geofencing, pavement-sensing speed regulators, and AI guidance to ensure that a ride can only be completed once a shared micromobility device is parked in a designated or acceptable location.

Our office looked at several other local jurisdictions with programs and technologies that improve micromobility use.

San Francisco, CA

- San Francisco's Powered Scooter Share Permit Program requires application and annual permit fees, along with fleet size caps, effectively shifting enforcement costs to operators and ensuring responsible management.[9]
- San Francisco's multi-channel outreach includes the "Three Golden Rules" campaign, social media messaging, and community events coordinated with local law enforcement.[10]
- San Francisco uses geofencing to limit speeds and restrict sidewalk riding, empowers parking officers with citation authority, and incentivizes compliant parking through dedicated programs.

Austin, TX

- Austin employs operator limits, fleet caps, and cost recovery mechanisms to fund enforcement and infrastructure improvements.[11]
- Austin enforces nighttime speed limits and deploys "force-park" technology to ensure proper device placement.

Portland, Oregon

- Portland integrates in-app reminders and widespread public education to promote safe riding and proper parking.[12]
- Portland mandates secure locking of devices post-trip and rapid removal of improperly parked scooters, supported by centralized 311 reporting.

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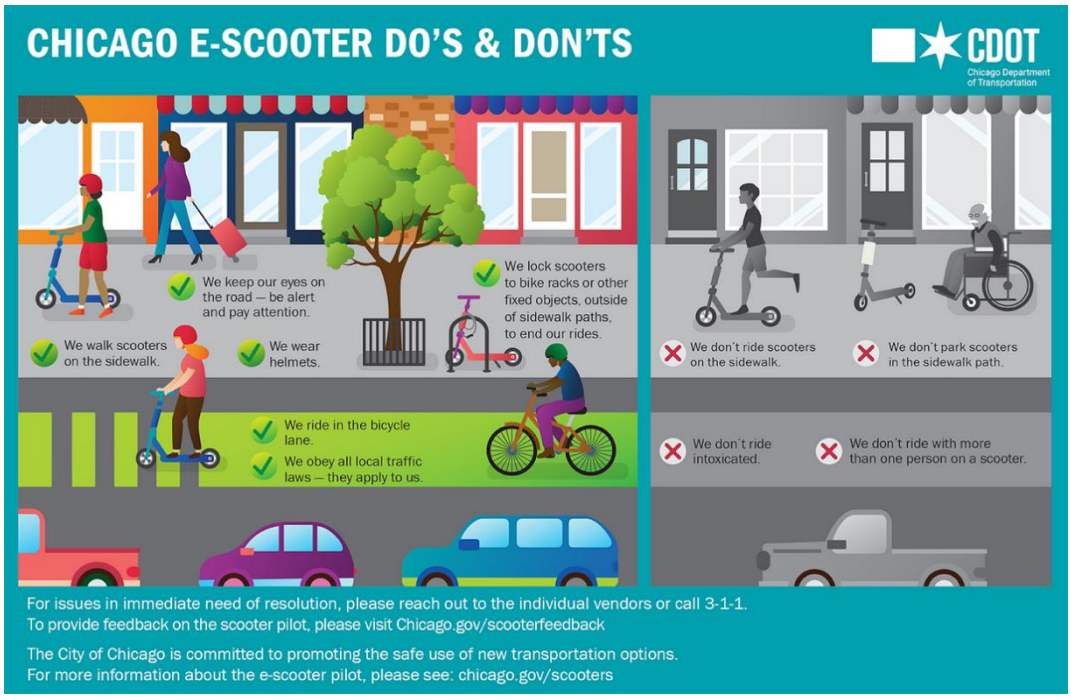
[9] SFMTA, "Powered Scooter Share Permit Program," https://www.sfmta.com/projects/powered-scooter-share-permit-program
[10] SFMTA, "Scooter Safety Campaign 2023," https://www.sfmta.com/scooter-safety-campaign-2023
[11] City of Austin, "Micromobility Program," https://www.austintexas.gov/department/micromobility
[12] Portland Bureau of Transportation, "Shared Electric Scooter Program," https://www.portland.gov/transportation/escooter

Chicago, Illinois

- Chicago developed a sweep of educational campaigns to provide comprehensive and easy to assess and intake resources, including Rider Tips for How to Safely and Properly Use Shared Scooters.[13]



BACKGROUND

On September 3, 2025, the Facilities, Infrastructure, Transportation, Environment & Sustainability (FITES) Committee considered the previous version of this item. While it took no action at the time, the general thrust of committee members' comments was that a narrower and directed focus was needed on micromobility ridership education as a first step. The intent of the revised recommendation is to allow interested council offices and other stakeholders, through relevant committees and with the expertise of applicable commissions, to advise on the development of an education program and make other recommendations to enhance safety and eliminate or reduce conflicts between micromobility devices and pedestrians/wheelchair users on Berkeley's sidewalks. Focus areas of such an education program could include: (1) protocols for proper parking of shared micromobility devices following the conclusion of the ride; (2) prohibitions on micromobility use on public sidewalk; and (3) applicable state law concerning the use of helmets in conjunction with uses of micromobility devices.

[13] City of Chicago, Rider Tips for How to Safely and Properly Use Shared Scootershttps://www.chicago.gov/city/en/depts/cdot/supp_info/escooter-share-pilot-project.html

Micromobility offers substantial benefits, including reduced greenhouse gas emissions, lower transportation costs, and increased access to transit.[14] A survey in neighboring Oakland found that 37% of e-scooter riders used them to connect to public transportation at least once a week.[15] Micromobility devices are used by a wide range of residents, including students, commuters, seniors, and visitors, offering convenient first- and last-mile connections to transit and local destinations.

Berkeley already has a vast library of materials relevant to the topic of micromobility, including laws, rules and regulations and contracts with operators, including the:

- Draft Plan for the 2025 Berkeley Bike Plan;[16, 17]
- Berkeley Electric Bike Equity Project (BEEP) 2025;[18]
- City of Berkeley, Public Works – Transportation Division; Shared Electric Micromobility Permit Program – Terms, Conditions, and Application 2024;[19]
- City of Berkeley Electric Mobility Roadmap 2020[20]

Berkeley has the opportunity to leverage an anticipated increase in shared micromobility vendor fees to further enhance its micromobility framework by drawing on successful approaches from peer cities that integrate safety, accountability, and infrastructure through clear regulations, effective enforcement, and robust public education.

ALTERNATIVE MEASURES CONSIDERED

Following numerous conversations with city staff and based on FITES guidance when this referral was discussed in August 2025, the current version of this item prioritizes the development of an education program as a first step but outlines each of the above-referenced recommendations for completeness.

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[14] California Air Resources Board, "Reducing Greenhouse Gas Emissions from Transportation," accessed August 2025, https://ww2.arb.ca.gov/our-work/programs/transportation-sector
[15] City of Oakland Department of Transportation, "Micromobility Survey Report," 2023, https://www.oaklandca.gov/documents/e-scooter-evaluation-report
[16] City of Berkeley, Draft Plan for the 2025 Berkeley Bike Plan https://berkeleybikeplan.org/storage/app/media/uploaded-files/draft/DRAFT_Berkeley_Bike_Plan_08072025.pdf
[17] City of Berkeley, This Draft Plan for the 2025 Berkeley Bike Plan Update, https://berkeleybikeplan.org/#/recommendations
[18] City of Berkeley, Berkeley Electric Bike Equity Project (BEEP) 2025. https://berkeleyca.gov/sites/default/files/documents/BEEP%20Data%20Analysis%20Summary%20Report%20February%202025-reduced.pdf
[19] City of Berkeley, Shared Electric Micromobility Permit Program (SEMPP) Terms and Conditions Revised 2024 https://berkeleyca.gov/sites/default/files/documents/SEMPP%20T%26C_Revised%202024_0.pdf
[20] City of Berkeley, Electric Mobility Roadmap. https://berkeleyca.gov/sites/default/files/2022-01/City%20of%20Berkeley%20Electric%20Mobility%20Roadmap_2020.pdf

1. **Improved Incentives and Enforcement**
    a. Provide clear channels for residents, pedestrians, and people with disabilities to report issues quickly and easily.
    b. The enforcement structure should be such that operators would consider progressive accountability measures for individual users (e.g., mandatory classes, increased fines, revoking ridership privileges).
    c. Suggest mechanisms for imposing additional penalties by the city on operators failing to address violations in a timely and effective manner.
    d. Include mechanisms for sharing enforcement data with the public, such as dashboards or annual reports, to increase trust and allow the community to monitor safety and compliance trends.
    e. Enforcement can be more effective when paired with physical or digital infrastructure[21], like clearly marked parking zones, geofenced no-ride areas, and device-locking features when they attempt to ride on the sidewalk or travel at excessive speeds.
    f. Operators should implement rewards and incentive programs based on clear metrics for responsible ridership behavior and to reduce sidewalk obstructions, repeat violations, or unsafe riding behaviors. App-based nudges and targeted outreach can also help to promote safe, equitable practices across the community.
    g. Recommend any additional operator-funded city incentive programs that reward evidence-based best operational practices by operators.

2. Cost Recovering Fee and Penalty Structure
    a. Implement an operator-paid fee and penalty schedule that fully covers the city's costs of staff time and enforcement infrastructure.[22]
    b. On a pilot basis, explore additional infrastructure contributions from operators, such as funding a specified number of parking corrals, bike racks, or signage based on fleet size, following models such as Bay Wheels in San Francisco.[23] Such improvements should be subject to an engineering assessment for safety and feasibility.

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[21] City of Berkeley, Hundreds more e-bikes added to Berkeley's bike share stations, https://berkeleyca.gov/community-recreation/news/hundreds-more-e-bikes-added-berkeleys-bike-share-stations

[22] City of Berkeley, https://berkeleyca.gov/sites/default/files/documents/2025-09-30%20Item%2015%20Refer%20to%20the%20City%20Manager%20in%20Collaboration%20with%20the%20CAO.pdf

[23] SFMTA, https://www.sfmta.com/blog/sfmta-and-bay-wheels-reach-agreement

c. Explore and negotiate leveraging data collected by micromobility devices for other city use.[24]
d. Consider the expansion of the agreed upon fee, incentive, and enforcement model beyond current e-scooter contracts (Veo Micromobility and Lime) to include other current or future micromobility options (e.g., Bay Wheels).

3. Right of Way and Accessibility Enforcement

Research and recommend additional effective and low-cost infrastructure upgrades,[25] including standardized markings for appropriate parking zones, creating parking corrals in daylighted zones to reduce sidewalk obstruction, and improve compliance with the Americans with Disability Act (ADA) (e.g., eliminating or mitigating for instances of micromobility devices impeding public right of way access to those with physical disabilities). Operators should consider enhancing ADA compliance and accessibility by incorporating features such as Braille labels on devices, emergency buttons accessible to wheelchair users, and prominently displayed contact information that is easily visible at all times of day, subject to technological and contractual feasibility. The operator fee should, to the extent possible, incorporate the costs of all such measures.

4. Stronger Accountability Measures

The City of Berkeley should continue, through contracting tools, to reflect the shared responsibility of operators in ensuring that unsafe behaviors and public nuisances are proactively addressed, as negative perceptions could threaten the long-term viability of these services. Operators should be held accountable for protecting the public perception and social acceptance of micromobility.

a. Enhance the currently required submission of monthly reports by operators to City staff with the production of biannual (twice per year) reports to the full Council, including, but not limited to detailing moving and parking violations, number of repeat offenders, safety class attendances, warnings issued, penalties applied, and any ridership privileges revoked.
b. Require operators to provide mandatory certifiable rider safety training with recurring reminders through apps and other means.

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[24] USDOT, Studying the Use of Low-Cost Sensing Devices to Report Roadway Pavement Conditions, https://rosap.ntl.bts.gov/view/dot/78991#:~:text=This%20report%20investigates%20the%20application,network%20longevity%20and%20user%20satisfaction

[25] Nesic, Alex. The Medium. https://alexnesic88.medium.com/parking-compliance-unleashing-the-potential-of-shared-micromobility-d979b1e3c950

- Training should cover safe riding practices, proper parking, and the impact on vulnerable populations, including children, seniors, and people with disabilities.

c. The City of Berkeley can reinforce shared responsibility by holding operators accountable for unsafe behaviors and public nuisances, recognizing that public perception affects the long-term success of micromobility.

5. Community Engagement and Education

a. Centralize and streamline the city's website to ensure all micromobility program details, rules, safety guidance, maps, and reporting instructions are easy to find and access in one location. The City might explore developing a comprehensive micromobility information hub—either as a standalone site or a robust, dedicated webpage—that consolidates policies, maps, FAQs, safety regulations, ADA requirements, and incident-reporting tools in plain, user-friendly language.
b. Expand education campaigns via signage, classes, media, and social media to increase awareness of proper micromobility use.
c. All materials should be available in multiple, most used languages in Berkeley and should be designed for varying levels of familiarity, from first-time riders to frequent users, and should include visual guides and real-world examples.
d. Partner with micromobility operators to align public education efforts with in-app onboarding, user prompts, and enforcement tools that are specific to each device type. Public–private partnerships should extend to schools, colleges, community organizations, advocacy groups, and affordable housing providers to ensure equitable, mode-appropriate outreach.
e. Special attention should be given to family and youth education. Operators and the City should partner with schools and community groups to equip parents with resources to educate their children on micromobility safety.

These coordinated approaches could integrate infrastructure improvements, rider safety, enforcement, operator accountability, public education, and rider incentives, providing a framework for a safer, more equitable, and sustainable micromobility system in Berkeley.

COMMUNITY IMPACT

Strengthening Berkeley's micromobility regulations will enhance public safety, protect ADA accessibility, and reduce sidewalk obstructions. Consistent enforcement and updated operator contracts ensure accountability and equity, while expanded public

education campaigns and improved infrastructure promote safe, orderly, and sustainable micromobility use.

FINANCIAL IMPLICATIONS

The goal of implementing the recommendation in this revised referral is to not require additional staffing to support the City's micromobility coordinator (1 full-time equivalent) and can be achieved through partnerships with external stakeholders such as UC Berkeley. The recommendation is intended to leverage ongoing improvements to infrastructure updates the cost of which is intended to be anticipated to be offset through revised fee and penalty structures incorporated into operator contracts. By requiring micromobility companies to contribute to the costs of enforcement, signage, designated parking, and other safety infrastructure, the City of Berkeley is minimizing or obviating additional impacts to the General Fund.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Well-regulated micromobility directly supports Berkeley's Climate Action Plan by providing low-emission alternatives to short car trips, helping to reduce greenhouse gas emissions, air pollution, and traffic congestion. By investing in safe infrastructure, accessible parking, and public education, the City of Berkeley can encourage more people to adopt micromobility options, increasing the share of sustainable transportation in daily travel.

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