

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 892 Session of 2021

INTRODUCED BY LAUGHLIN, TARTAGLIONE, MENSCH AND STEFANO,
OCTOBER 6, 2021

REFERRED TO TRANSPORTATION, OCTOBER 6, 2021

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in special vehicles and pedestrians, providing for
3 electric low-speed scooter pilot program.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 3515. Electric low-speed scooter pilot program.

9 (a) Requirement.--An electric low-speed scooter may only be
10 operated on a pedalcycle lane on a roadway, a roadway or a
11 pedalcycle path within the boundaries of a city of the second or
12 third class, borough or township where an executive order has
13 been issued authorizing the operation of electric low-speed
14 scooters under a micro-mobility pilot project as provided under
15 subsection (b). Other places to operate an electric low-speed
16 scooter within the boundaries of the city of the second or third
17 class, borough or township may be authorized by executive order,
18 in consultation with the property owner.

1 (b) Micro-mobility pilot project.--An executive order may be
2 issued in a city of the second or third class, borough or
3 township which authorizes the use of electric low-speed scooters
4 under a micro-mobility pilot project to commence in the city of
5 the second or third class, borough or township and which
6 provides a limited fleet of electric low-speed scooters, as
7 determined by the city of the second or third class, borough or
8 township, within the boundaries of the city of the second or
9 third class, borough or township.

10 (c) Operation.--Unless otherwise specified, every individual
11 operating an electric low-speed scooter authorized under
12 subsection (a) shall be granted all of the rights and shall be
13 subject to all of the duties applicable to the operator of a
14 pedalcycle under this subchapter.

15 (d) Age requirement.--The following shall apply:

16 (1) No individual under 16 years of age may operate an
17 electric low-speed scooter on a roadway unless permitted by
18 local ordinance.

19 (2) No commercial electric scooter enterprise may rent
20 an electric low-speed scooter to an individual under 16 years
21 of age.

22 (e) Speed requirement.--No individual may operate an
23 electric low-speed scooter on a pedalcycle lane on a highway, a
24 roadway or a pedalcycle path at a speed greater than 15 miles
25 per hour.

26 (f) Lamps and reflectors.--Every electric low-speed scooter
27 when operated between sunset and sunrise shall be equipped on
28 the front with a lamp which emits a beam of white light intended
29 to illuminate the electric low-speed scooter's path and which is
30 visible from a distance of at least 300 feet in front, a red

1 reflector facing to the rear which is visible at least 500 feet
2 to the rear and a reflector on each side. A lamp worn by the
3 operator of the electric low-speed scooter shall comply with the
4 requirements of this subsection if the lamp can be seen at the
5 distances specified under this subsection.

6 (g) Operation prohibited on freeways.--No individual may
7 operate an electric low-speed scooter on a freeway or on
8 highways and streets with a posted speed limit of 35 miles per
9 hour or more.

10 (h) Powers of department and local authorities.--This
11 section shall not be deemed to prevent the department on State-
12 designated highways and local authorities on streets or highways
13 within the local authority's physical boundaries from the
14 reasonable exercise of the department's or the local authority's
15 police powers.

16 (i) Ordinances, policies and regulations.--Notwithstanding
17 any other provision of law, a city of the second or third class,
18 borough or township may adopt an ordinance, regulation or policy
19 for the safety, operation and management of electric low-speed
20 scooters.

21 (j) Presumption.--For the purposes of this section, it is
22 presumed to be a reasonable exercise of police power to regulate
23 the use of electric low-speed scooters consistent with the
24 regulation of pedalcycles.

25 (k) Application.--Notwithstanding Subchapter A of Chapter 11
26 (relating to certificate of title) or Subchapter A of Chapter 13
27 (relating to general provisions), electric low-speed scooters
28 authorized under this section shall not be required to comply
29 with certificate of title or vehicle registration requirements
30 under this title.

1 (l) Construction.--Notwithstanding any other provision of
2 law to the contrary, an electric low-speed scooter under this
3 article shall not be construed as a "motor vehicle" as defined
4 in section 102 (relating to definitions).

5 (m) Report.--A city of the second or third class, borough or
6 township, in coordination with the department, shall prepare a
7 report on the micro-mobility pilot program 60 days prior to the
8 expiration of the micro-mobility pilot program. The report
9 shall:

10 (1) Include the number of rides, the number of
11 accidents, frequency of use, any ordinance, regulation or
12 policy adopted under subsection (i) and safety, mobility and
13 economic impacts.

14 (2) Be submitted to the chairperson and minority
15 chairperson of the Transportation Committee of the Senate and
16 the chairperson and minority chairperson of the
17 Transportation Committee of the House of Representatives.

18 (n) Expiration.--This section shall expire two years after
19 the effective date of this section.

20 (o) Financial responsibility.--A city of the second or third
21 class, borough or township shall require financial
22 responsibility for a commercial electric scooter enterprise as
23 follows:

24 (1) A commercial electric scooter enterprise shall
25 maintain the following insurance that is in effect for the
26 duration of the micro-mobility pilot project:

27 (i) commercial general liability insurance coverage
28 with a limit of at least \$2,000,000 each occurrence and
29 \$2,000,000 aggregate;

30 (ii) automobile insurance coverage with a limit of

1 at least \$1,000,000 each occurrence and \$1,000,000
2 aggregate; and

3 (iii) when the scooter-share operator employs an
4 individual, workers' compensation coverage of no less
5 than required by law.

6 (2) A commercial electric scooter enterprise shall
7 provide proof of insurance coverage to the city of the second
8 or third class, borough or township to satisfy the
9 requirements of this subsection.

10 (3) In addition to any fines that may be imposed, the
11 city of the second or third class, borough or township may
12 impose a civil penalty on a commercial electric scooter
13 enterprise that does not provide the insurance required under
14 this subsection in an amount not to exceed \$1,000 per day the
15 commercial electric scooter enterprise is operated without
16 providing the required insurance. A civil penalty collected
17 under this paragraph by the city of the second or third
18 class, borough or township shall be used for the safety,
19 operation and management of electric low-speed scooters or
20 pedalcycles.

21 (p) Definitions.--As used in this section, the following
22 words and phrases shall have the meanings given to them in this
23 subsection unless the context clearly indicates otherwise:

24 "Commercial electric scooter enterprise." A person that
25 makes electric low-speed scooters available for rent to the
26 public for use as determined by a city of the second or third
27 class, borough or township.

28 "Electric low-speed scooter." As follows:

29 (1) A device weighing less than 100 pounds that:

30 (i) has handlebars and an electric motor;

1 (ii) has a floorboard which can be stood upon while
2 riding; and

3 (iii) is solely powered by the electric motor or
4 human power, or both.

5 (2) The term does not include a pedalcycle with electric
6 assist, an electric personal assistive mobility device, a
7 motorcycle, a motorized pedalcycle or a motor-driven cycle.

8 Section 2. This act shall take effect immediately.