

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 783 Session of 2021

INTRODUCED BY LANGERHOLC, COSTA, SAVAL, BREWSTER, FONTANA, ROBINSON AND STEFANO, JUNE 17, 2021

SENATOR LANGERHOLC, TRANSPORTATION, AS AMENDED, JUNE 22, 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
12 class where an executive order has been issued authorizing the
13 operation of electric low-speed scooters under a micro-mobility
14 pilot project as provided under subsection (b). Other places to
15 operate an electric low-speed scooter WITHIN THE BOUNDARIES OF <--
16 THE CITY may be authorized by executive order, in consultation
17 with the property owner.

18 (b) Micro-mobility pilot project.--An executive order may be

1 issued in a city of the second class which authorizes the use of
2 electric low-speed scooters under a micro-mobility pilot project
3 to commence in the city of the second class and which provides a <--
4 limited fleet of electric low-speed scooters, AS DETERMINED BY <--
5 THE CITY, within the boundaries of the city of a second class. <--

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

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

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

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

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

22 (f) Lamps and reflectors.--Every electric low-speed scooter
23 when operated between sunset and sunrise shall be equipped on
24 the front with a lamp which emits a beam of white light intended
25 to illuminate the electric low-speed scooter's path and is
26 visible from a distance of at least 500 feet in front, a red
27 reflector LAMP facing to the rear which is visible at least 500 <--
28 feet to the rear and a reflector on each side. A LAMP WORN BY <--
29 THE OPERATOR OF THE ELECTRIC LOW-SPEED SCOOTER SHALL COMPLY WITH
30 THE REQUIREMENTS OF THIS SUBSECTION IF THE LAMP CAN BE SEEN AT

1 THE DISTANCES SPECIFIED UNDER THIS SUBSECTION.

2 (g) Operation prohibited on freeways.--No individual may
3 operate an electric low-speed scooter on a freeway. OR ON <--
4 HIGHWAYS AND STREETS WITH A POSTED SPEED LIMIT OF 35 MILES PER
5 hour OR MORE.

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

12 (i) Ordinances, policies and regulations.--Notwithstanding
13 any other provision of law, a city of the second class may adopt
14 an ordinance, regulation or policy for the safety, operation and
15 management of electric low-speed scooters. If an electric low-
16 speed scooter operates on a roadway owned by the department, the
17 department shall be consulted prior to the adoption of the
18 ordinance, policy or regulation.

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

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

29 (l) Construction.--Notwithstanding any other provision of
30 law to the contrary, an electric low-speed scooter under this

1 article shall not be construed as a "motor vehicle" as defined
2 in section 102 (relating to definitions).

3 (m) Report.--A city of the second class, in coordination
4 with the department, shall prepare a report on the micro-
5 mobility pilot program 60 days prior to the expiration of the
6 micro-mobility pilot program. The report shall:

7 (1) Include the number of rides, the number of
8 accidents, frequency of use, any ordinance, regulation or
9 policy adopted under subsection (i) and safety, MOBILITY and <--
10 economic impacts.

11 (2) Be submitted to the chairperson and minority
12 chairperson of the Transportation Committee of the Senate and
13 the chairperson and minority chairperson of the
14 Transportation Committee of the House of Representatives.

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

17 (o) FINANCIAL RESPONSIBILITY.--A CITY OF THE SECOND CLASS <--
18 SHALL REQUIRE FINANCIAL RESPONSIBILITY FOR A COMMERCIAL ELECTRIC
19 SCOOTER ENTERPRISE AS FOLLOWS:

20 (1) A COMMERCIAL ELECTRIC SCOOTER ENTERPRISE SHALL
21 MAINTAIN THE FOLLOWING INSURANCE THAT IS IN EFFECT FOR THE
22 DURATION OF THE MICRO-MOBILITY PILOT PROJECT:

23 (I) COMMERCIAL GENERAL LIABILITY INSURANCE COVERAGE
24 WITH A LIMIT OF AT LEAST \$2,000,000 EACH OCCURRENCE AND
25 \$2,000,000 AGGREGATE;

26 (II) AUTOMOBILE INSURANCE COVERAGE WITH A LIMIT OF
27 AT LEAST \$1,000,000 EACH OCCURRENCE AND \$1,000,000
28 AGGREGATE; AND

29 (III) WHEN THE SCOOTER-SHARE OPERATOR EMPLOYS AN
30 INDIVIDUAL, WORKERS' COMPENSATION COVERAGE OF NO LESS

1 THAN REQUIRED BY LAW.

2 (2) A COMMERCIAL ELECTRIC SCOOTER ENTERPRISE SHALL
3 PROVIDE PROOF OF INSURANCE COVERAGE TO THE CITY TO SATISFY
4 THE REQUIREMENTS OF THIS SUBSECTION.

5 (3) IN ADDITION TO ANY FINES THAT MAY BE IMPOSED, THE
6 CITY MAY IMPOSE A CIVIL PENALTY ON A COMMERCIAL ELECTRIC
7 SCOOTER ENTERPRISE THAT DOES NOT PROVIDE THE INSURANCE
8 REQUIRED UNDER THIS SUBSECTION IN AN AMOUNT NOT TO EXCEED
9 \$1,000 PER DAY THE COMMERCIAL ELECTRIC SCOOTER ENTERPRISE IS
10 OPERATED WITHOUT PROVIDING THE REQUIRED INSURANCE. A CIVIL
11 PENALTY COLLECTED UNDER THIS PARAGRAPH BY THE CITY SHALL BE
12 USED FOR THE SAFETY, OPERATION AND MANAGEMENT OF ELECTRIC
13 LOW-SPEED SCOOTERS OR PEDALCYCLES.

14 ~~(e)~~ (P) Definitions.--As used in this section, the following <--
15 words and phrases shall have the meanings given to them in this
16 subsection unless the context clearly indicates otherwise:

17 "COMMERCIAL ELECTRIC SCOOTER ENTERPRISE." A PERSON THAT <--
18 MAKES ELECTRIC LOW-SPEED SCOOTERS AVAILABLE FOR RENT TO THE
19 PUBLIC FOR USE AS DETERMINED BY A CITY OF THE SECOND CLASS.

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

- 21 (1) A device weighing less than 100 pounds that:
22 (i) has handlebars and an electric motor;
23 (ii) has a floorboard which can be stood upon while
24 riding; and
25 (iii) is solely powered by the electric motor or
26 human power, or both.

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

30 Section 2. This act shall take effect immediately.