

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 892 Session of 2021

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

SENATOR LANGERHOLC, TRANSPORTATION, AS AMENDED, FEBRUARY 7, 2022

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 SECOND CLASS A AND THIRD CLASS WHERE AN ORDINANCE <--
14 HAS BEEN ENACTED authorizing the operation of electric low-speed
15 scooters under a micro-mobility pilot project as provided under
16 subsection (b). Other places to operate an electric low-speed
17 scooter within the boundaries of the city of the second or third <--
18 class, borough or township may be authorized by executive order

1 SECOND CLASS A AND THIRD CLASS MAY BE AUTHORIZED BY AN <--
2 ORDINANCE, in consultation with the property owner. A CITY OF <--
3 THE SECOND CLASS A AND THIRD CLASS SHALL NOTIFY THE DEPARTMENT
4 OF ANY ORDINANCE UNDER THIS SUBSECTION.

5 (b) Micro-mobility pilot project.--An executive order may be <--
6 issued in a city of the second or third class, borough or
7 township which authorizes the use of electric low speed scooters
8 under a micro mobility pilot project to commence in the city of
9 the second or third class, borough or township and which
10 provides a limited fleet of electric low speed scooters, as
11 determined by the city of the second or third class, borough or
12 township, within the boundaries of the city of the second or
13 third class, borough or township. A CITY OF THE SECOND CLASS A <--
14 AND THIRD CLASS SHALL ENACT AN ORDINANCE WHICH AUTHORIZES THE
15 USE OF ELECTRIC LOW-SPEED SCOOTERS UNDER A MICRO-MOBILITY PILOT
16 PROJECT TO COMMENCE IN THE CITY OF THE SECOND CLASS A AND THIRD
17 CLASS AND WHICH PROVIDES A LIMITED FLEET OF ELECTRIC LOW-SPEED
18 SCOOTERS, AS DETERMINED BY THE CITY OF THE SECOND CLASS A AND
19 THIRD CLASS WITHIN THE BOUNDARIES OF THE CITY OF THE SECOND
20 CLASS A AND THIRD CLASS.

21 (c) Operation.--Unless otherwise specified, every individual
22 operating an electric low-speed scooter authorized under
23 subsection (a) shall be granted all of the rights and shall be
24 subject to all of the duties applicable to the operator of a
25 pedalcycle under this subchapter.

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

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

30 (2) No commercial electric scooter enterprise may rent

1 an electric low-speed scooter to an individual under 16 years
2 of age.

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

7 (f) Lamps and reflectors.--Every electric low-speed scooter
8 when operated between sunset and sunrise shall be equipped on
9 the front with a lamp which emits a beam of white light intended
10 to illuminate the electric low-speed scooter's path and which is
11 visible from a distance of at least 300 feet in front, a red
12 reflector facing to the rear which is visible at least 500 feet
13 to the rear and a reflector on each side. A lamp worn by the
14 operator of the electric low-speed scooter shall comply with the
15 requirements of this subsection if the lamp can be seen at the
16 distances specified under this subsection.

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

21 (h) Powers of department and local authorities.--This
22 section shall not be deemed to prevent the department on State-
23 designated highways and local authorities on streets or highways
24 within the local authority's physical boundaries from the
25 reasonable exercise of the department's or the local authority's
26 police powers.

27 (i) Ordinances, policies and regulations.--Notwithstanding
28 any other provision of law, a city of the second or third class, <--
29 borough or township may SECOND CLASS A AND THIRD CLASS SHALL <--
30 adopt an ordinance, regulation or policy for the safety,

1 operation and management of electric low-speed scooters. A CITY <--
2 OF THE SECOND CLASS A AND THIRD CLASS SHALL NOTIFY THE
3 DEPARTMENT OF ANY ORDINANCE, POLICY OR REGULATION UNDER THIS
4 SUBSECTION.

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

9 (k) Application.--Notwithstanding Subchapter A of Chapter 11
10 (relating to certificate of title) or Subchapter A of Chapter 13
11 (relating to general provisions), electric low-speed scooters
12 authorized under this section shall not be required to comply
13 with certificate of title or vehicle registration requirements
14 under this title.

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

19 (m) Report.--A city of the ~~second or third class, borough or <--~~
20 ~~township~~ SECOND CLASS A AND THIRD CLASS, in coordination with <--
21 the department, shall prepare a report on the micro-mobility
22 pilot program 60 days prior to the expiration of the micro-
23 mobility pilot program. The report shall:

24 (1) Include the number of rides, the number of
25 accidents, frequency of use, any ordinance, regulation or
26 policy adopted under subsection (i) and safety, mobility and
27 economic impacts.

28 (2) Be submitted to the chairperson and minority
29 chairperson of the Transportation Committee of the Senate and
30 the chairperson and minority chairperson of the

1 Transportation Committee of the House of Representatives.

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

4 (o) Financial responsibility.--A city of the ~~second or third~~<--
5 ~~class, borough or township~~ SECOND CLASS A AND THIRD CLASS shall <--
6 require financial responsibility for a commercial electric
7 scooter enterprise as follows:

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

11 (i) commercial general liability insurance coverage
12 with a limit of at least \$2,000,000 each occurrence and
13 \$2,000,000 aggregate;

14 (ii) automobile insurance coverage with a limit of
15 at least \$1,000,000 each occurrence and \$1,000,000
16 aggregate; and

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

20 (2) A commercial electric scooter enterprise shall
21 provide proof of insurance coverage to the city of the ~~second~~<--
22 ~~or third class, borough or township~~ SECOND CLASS A AND THIRD <--
23 CLASS to satisfy the requirements of this subsection.

24 (3) In addition to any fines that may be imposed, the
25 city of the ~~second or third class, borough or township~~ SECOND <--
26 CLASS A AND THIRD CLASS may impose a civil penalty on a
27 commercial electric scooter enterprise that does not provide
28 the insurance required under this subsection in an amount not
29 to exceed \$1,000 per day the commercial electric scooter
30 enterprise is operated without providing the required

1 insurance. A civil penalty collected under this paragraph by
2 the city of the ~~second or third class, borough or township~~ <--
3 SECOND CLASS A AND THIRD CLASS shall be used for the safety, <--
4 operation and management of electric low-speed scooters or
5 pedalcycles.

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

9 "Commercial electric scooter enterprise." A person that
10 makes electric low-speed scooters available for rent to the
11 public for use as determined by a city of the ~~second or third~~ <--
12 class, borough or township SECOND CLASS A AND THIRD CLASS. <--

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

- 14 (1) A device weighing less than 100 pounds that:
15 (i) has handlebars and an electric motor;
16 (ii) has a floorboard which can be stood upon while
17 riding; and
18 (iii) is solely powered by the electric motor or
19 human power, or both.

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

23 Section 2. This act shall take effect immediately.