
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 692 Session of
2023

INTRODUCED BY LAUGHLIN, BARTOLOTTA, HAYWOOD, ROTHMAN,
CAPPELLETTI, DUSH, STEFANO, TARTAGLIONE, FONTANA, BREWSTER
AND SAVAL, MAY 5, 2023

REFERRED TO TRANSPORTATION, MAY 5, 2023

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 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 program.

9 (a) Administration.--The department shall be the primary
10 Commonwealth agency responsible for the oversight of electric
11 low-speed scooters operating in this Commonwealth.

12 (b) Authorization.--

13 (1) A city of the second class or an authorized
14 municipality may establish an electric low-speed scooter
15 program with a commercial electric scooter enterprise within
16 the boundaries of the city of the second class or authorized
17 municipality in accordance with this section.

18 (2) In order to establish an electric low-speed scooter

1 program, an authorized municipality shall adopt an ordinance
2 that complies with this section, which shall include, at a
3 minimum, all of the following:

4 (i) Operating guidance, including permitted areas,
5 prohibited areas, customer service support, age
6 requirements, speed requirements, geofencing, rider
7 limit, fleet size and maintenance, pedestrian
8 interaction, parking and charging stations.

9 (ii) Data management and reporting.

10 (iii) Education, public awareness and public
11 participation.

12 (iv) Violations and enforcement.

13 (v) Fare structure.

14 (vi) Insurance.

15 (3) The ordinance under paragraph (2) may not permit the
16 establishment of an electric low-speed scooter program unless
17 the authorized municipality submits a copy of the ordinance
18 to the department on a form specified by the department. If
19 the form is not reviewed by the department within 45 days
20 after receipt of the form, the form shall be considered
21 complete and the authorized municipality may establish the
22 program.

23 (4) Paragraphs (2) and (3) shall not apply to a city of
24 the second class, which may operate in accordance with the
25 authorization under Article XVI-Q of the act of April 9, 1929
26 (P.L.343, No.176), known as The Fiscal Code.

27 (5) The department shall be immune from suit by an
28 authorized municipality, a commercial electric scooter
29 enterprise or a commercial electric scooter enterprise
30 employee or agent for reviewing a form in any manner under

1 paragraph (3). The immunity provided under this paragraph
2 shall include a person who reviews a form under paragraph (3)
3 on behalf of the department.

4 (c) Operation requirements.--

5 (1) An individual operating an electric low-speed
6 scooter authorized under an electric low-speed scooter
7 program shall be granted all of the rights and shall be
8 subject to all of the duties applicable to the operator of a
9 pedalcycle under this subchapter.

10 (2) An electric low-speed scooter may only be operated
11 in a city of the second class or an authorized municipality
12 where a limited fleet of electric low-speed scooters are
13 provided by a commercial electric scooter enterprise as
14 determined by the city of the second class or authorized
15 municipality.

16 (3) An electric low-speed scooter may operate on a
17 highway, a pedalcycle lane on a highway or a pedalcycle path
18 owned by the Commonwealth or a municipality within the
19 boundaries of a city of the second class or an authorized
20 municipality. An electric low-speed scooter may not operate
21 on a sidewalk.

22 (4) Except as prohibited under subsection (g), a city of
23 the second class or an authorized municipality, in
24 consultation with and with the consent of the property owner,
25 may adopt an ordinance to authorize the operation of an
26 electric low-speed scooter in any other location not
27 specified under paragraph (3) within the boundaries of the
28 city of the second class or authorized municipality.

29 (5) An individual may not operate an electric low-speed
30 scooter unless provided by a commercial electric scooter

1 enterprise in a city of the second class or an authorized
2 municipality.

3 (d) Age requirements.--

4 (1) An individual younger than 18 years of age may not
5 operate an electric low-speed scooter.

6 (2) A commercial electric scooter enterprise may not
7 rent an electric low-speed scooter to an individual younger
8 than 18 years of age.

9 (e) Speed requirements.--An individual may not operate an
10 electric low-speed scooter at a speed greater than 15 miles per
11 hour.

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

22 (g) Operation prohibited.--An individual may not operate an
23 electric low-speed scooter on any of the following:

24 (1) A freeway.

25 (2) A highway with a posted speed limit of 35 miles per
26 hour or greater.

27 (3) A sidewalk in a business district.

28 (h) Police powers.--Nothing in this section shall be
29 construed to prevent the department on a State-designated
30 highway or a local authority on a local-designated highway from

1 the reasonable exercise of the department's police powers or the
2 local authority's police powers under section 6109 (relating to
3 specific powers of department and local authorities).

4 (i) Safety issues.--When an electric low-speed scooter
5 program includes the use of a highway owned or under the
6 jurisdiction of the department, the department may restrict
7 access, permanently or temporarily, to a highway segment for the
8 program when a pattern of safety issues have been identified by
9 the department that cannot be reasonably corrected. The
10 department shall establish a process to evaluate a safety issue
11 under this subsection. The process shall be limited to the
12 evaluation of accidents and damage to property on a highway
13 owned or under the jurisdiction of the department. The
14 department shall also establish a process to communicate a
15 safety issue under this subsection and consult with a city of
16 the second class or an authorized municipality and commercial
17 electric scooter enterprise prior to restricting access,
18 permanently or temporarily, to the highway owned or under the
19 jurisdiction of the department for the program.

20 (j) Ordinances, policies and regulations.--Notwithstanding
21 any other provision of law, a city of the second class or an
22 authorized municipality shall adopt an ordinance, regulation or
23 policy for the safety, operation and management of electric low-
24 speed scooters. The ordinance, regulation or policy shall, at a
25 minimum, include approved and restricted deployment locations,
26 approved and restricted parking locations, fleet size and
27 maintenance, customer service operations, fee structures,
28 insurance consistent with subsection (o), data management and
29 reporting and education and awareness. A city of the second
30 class or an authorized municipality shall notify the department

1 of any ordinance, policy or regulation adopted under this
2 subsection.

3 (k) Presumption.--For the purposes of this section, it shall
4 be presumed to be a reasonable exercise of police power to
5 regulate and enforce the use of electric low-speed scooters
6 consistent with this section and the regulation of pedalcycles,
7 as applicable.

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

14 (m) Motor vehicles.--Notwithstanding any other provision of
15 law, an electric low-speed scooter authorized under this section
16 shall not be construed as a motor vehicle.

17 (n) Report.--A city of the second class or an authorized
18 municipality, in coordination with the department, shall prepare
19 an annual report on the deployment of electric low-speed
20 scooters under an electric low-speed scooter program. The report
21 shall be posted on the publicly accessible Internet websites of
22 the department and the city of the second class or authorized
23 municipality. The report shall include the number of rides, the
24 number of accidents, frequency of use and any ordinance,
25 regulation or policy adopted under subsection (j). The city of
26 the second class or authorized municipality shall submit the
27 report to the chairperson and minority chairperson of the
28 Transportation Committee of the Senate and the chairperson and
29 minority chairperson of the Transportation Committee of the
30 House of Representatives.

1 (o) Financial responsibility.--A city of the second class or
2 authorized municipality shall require financial responsibility
3 for a commercial electric scooter enterprise participating in an
4 electric low-speed scooter program as follows:

5 (1) A commercial electric scooter enterprise shall
6 maintain the following insurance for the duration of the
7 program:

8 (i) Commercial general liability insurance coverage
9 with a limit of at least \$2,000,000 for each occurrence
10 and \$2,000,000 in the aggregate.

11 (ii) Automobile insurance coverage with a limit of
12 at least \$1,000,000 for each occurrence and \$1,000,000 in
13 the aggregate.

14 (iii) When the commercial electric scooter
15 enterprise employs an individual, workers' compensation
16 coverage of no less than required by Federal or State
17 law.

18 (2) A commercial electric scooter enterprise shall
19 provide proof of insurance coverage to a city of the second
20 class or an authorized municipality to satisfy the
21 requirements under this subsection.

22 (3) In addition to any fines that may be imposed, a city
23 of the second class or an authorized municipality may impose
24 a civil penalty on a commercial electric scooter enterprise
25 that does not provide the insurance required under this
26 subsection in an amount not to exceed \$1,000 per day the
27 commercial electric scooter enterprise is operated without
28 providing the required insurance. A civil penalty collected
29 under this paragraph by a city of the second class or an
30 authorized municipality shall be used for the safety,

1 operation and management of electric low-speed scooters or
2 pedalcycles.

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

6 "Authorized municipality." A city of the second class A or a
7 city of the third class.

8 "Commercial electric scooter enterprise." A person that
9 makes electric low-speed scooters available for rent to the
10 public for use as determined by a city of the second class or an
11 authorized municipality.

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

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

14 (i) has handlebars and an electric motor;

15 (ii) has a floorboard which can be stood upon while
16 riding or a seat which can be sat upon while riding; and

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

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

22 "Program." An electric low-speed scooter program authorized
23 under subsection (b).

24 Section 2. This act shall take effect as follows:

25 (1) The following shall take effect immediately:

26 (i) The addition of 75 Pa.C.S. § 3515(b)(4).

27 (ii) This section.

28 (2) The remainder of this act shall take effect in 60
29 days.