

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2218 Session of  
2024

INTRODUCED BY KINKEAD, ABNEY, McANDREW, PISCIOTTANO, BURGOS,  
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EVANS AND KENYATTA, APRIL 16, 2024

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 16, 2024

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, in special vehicles and pedestrians, providing for  
3 shared electric low-speed scooters; and imposing penalties.

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

6 Section 1. Chapter 35 of Title 75 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER B.1

9 SHARED ELECTRIC LOW-SPEED SCOOTERS

10 Sec.

11 3531. Definitions.

12 3532. Oversight.

13 3533. Shared electric low-speed scooter program.

14 3534. Insurance.

15 3535. Safety issues.

16 3536. Enforcement.

17 3537. Police powers.

18 3538. Reports.

1 3539. Applicability and construction.

2 § 3531. Definitions.

3 The following words and phrases when used in this subchapter  
4 shall have the meanings given to them in this section unless the  
5 context clearly indicates otherwise:

6 "Abandoned shared electric low-speed scooter." A shared  
7 electric low-speed scooter that meets all of the following:

8 (1) The user of the shared electric low-speed scooter is  
9 not visible to an individual making an initial report on a  
10 hotline that the shared electric low-speed scooter is  
11 abandoned.

12 (2) The shared electric low-speed scooter is illegally  
13 parked on a highway or is on property on which the shared  
14 electric low-speed scooter is prohibited to be used or kept  
15 as provided under this subchapter or an applicable municipal  
16 ordinance or executive order.

17 "Authorized municipality." Any of the following:

18 (1) A city of the second class.

19 (2) A city of the second class A.

20 (3) A city of the third class.

21 "Commercial electric low-speed-scooter-sharing enterprise."

22 A person that makes electric low-speed scooters available for  
23 rent to the public for use as determined by an authorized  
24 municipality.

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

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

27 (i) Has two or three wheels.

28 (ii) Has handlebars and an electric motor.

29 (iii) Has a floorboard which can be stood upon while  
30 riding or a seat which can be sat upon while riding.

1           (iv) Is solely powered by an electric motor or human  
2           power, or both.

3           (v) Has a maximum top speed of 20 miles per hour.

4           (2) The term includes a shared mobility system with an  
5           electric low-speed scooter if the shared mobility system  
6           meets the requirements under paragraph (1).

7           (3) The term does not include:

8           (i) A pedalcycle with electric assist.

9           (ii) An electric personal assistive mobility device.

10          (iii) A motorcycle.

11          (iv) A motorized pedalcycle.

12          (v) A motor-driven cycle.

13          "Hotline." A complaint hotline established under section  
14          3533(b)(2) (relating to shared electric low-speed scooter  
15          program).

16          "Program." A shared electric low-speed scooter program  
17          authorized under section 3533(a).  
18          § 3532. Oversight.

19          The department shall be the primary Commonwealth agency  
20          responsible for the oversight of:

21          (1) Shared electric low-speed scooters operating in this  
22          Commonwealth.

23          (2) Programs established by authorized municipalities.

24          (3) The adoption of required ordinances, any amendment  
25          to the required ordinances and any subsequent policy  
26          developed by authorized municipalities, to ensure compliance  
27          with this subchapter.

28          § 3533. Shared electric low-speed scooter program.

29          (a) Authorization.--An authorized municipality may establish  
30          a shared electric low-speed scooter program with a commercial

1 electric low-speed-scooter-sharing enterprise within the  
2 boundaries of the authorized municipality in accordance with  
3 this subchapter.

4 (b) Ordinance.--To establish a program, an authorized  
5 municipality must first adopt an ordinance, which must include:

6 (1) The following policies:

7 (i) An individual operating a shared electric low-  
8 speed scooter authorized under a program shall be granted  
9 all of the rights and shall be subject to all of the  
10 duties applicable to the operator of a pedalcycle under  
11 Subchapter A (relating to operation of pedalcycles).

12 (ii) A shared electric low-speed scooter may operate  
13 on a highway, a pedalcycle lane on a highway or a  
14 pedalcycle path owned by the Commonwealth or authorized  
15 municipality and within the boundaries of an authorized  
16 municipality.

17 (iii) Subject to subparagraph (iv)(C), an individual  
18 may not operate a shared electric low-speed scooter on a  
19 sidewalk unless the shared electric low-speed scooter is  
20 upright and appropriately docked in a designated parking  
21 area as determined by the authorized municipality.

22 (iv) An individual may not operate a shared electric  
23 low-speed scooter on any of the following:

24 (A) A freeway.

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

27 (C) A sidewalk in a business district.

28 (v) An individual who is under 16 years of age may  
29 not operate a shared electric low-speed scooter.

30 (vi) An individual may not operate a shared electric

1 low-speed scooter at a speed greater than 15 miles per  
2 hour.

3 (vii) When operated between sunset and sunrise, a  
4 shared electric low-speed scooter shall be equipped with:

5 (A) A lamp on the front which emits a beam of  
6 white light intended to illuminate the shared  
7 electric low-speed scooter's path and is visible from  
8 a distance of at least 500 feet in front.

9 (B) A red lamp facing to the rear which is  
10 visible at least 500 feet to the rear.

11 (C) A reflector on each side.

12 (viii) A commercial electric low-speed-scooter-  
13 sharing enterprise shall provide information on customer  
14 support service for approval by the authorized  
15 municipality.

16 (2) The establishment of a complaint hotline. The  
17 following apply:

18 (i) The hotline shall be used to report:

19 (A) Abandoned shared electric low-speed  
20 scooters.

21 (B) Violations of this subchapter or the  
22 ordinance.

23 (ii) The hotline telephone number shall be displayed  
24 on each shared electric low-speed scooter.

25 (iii) The hotline may be through an existing  
26 municipal response center operated by the authorized  
27 municipality.

28 (3) The establishment of requirements addressing:

29 (i) Geofencing.

30 (ii) Rider limits.

1           (iii) Fleet size.

2           (iv) Vehicle maintenance information.

3           (v) Strategies to reduce negative interactions  
4 between shared electric low-speed scooter riders and  
5 pedestrians.

6           (vi) Parking and charging station installation and  
7 maintenance.

8           (vii) Data management and reporting.

9           (viii) Education, public awareness and public  
10 participation plans.

11          (ix) Fare structure.

12          (c) Amendments and policy changes.--Notwithstanding any  
13 other provision of law, an authorized municipality may amend the  
14 ordinance adopted under subsection (b) or adopt a subsequent  
15 policy change consistent with this subchapter to improve the  
16 operations of the program or further protect public safety.

17          (d) Notice.--Each authorized municipality adopting an  
18 ordinance in accordance with subsection (b) or an amendment or  
19 policy change in accordance with subsection (c) shall notify the  
20 department of the adoption of the ordinance, amendment or policy  
21 change.

22          § 3534. Insurance.

23          (a) Requirement.--A commercial electric low-speed-scooter-  
24 sharing enterprise operating in an authorized municipality shall  
25 provide to the authorized municipality proof of insurance  
26 coverage as required under this section.

27          (b) Coverage amounts.--A commercial electric low-speed-  
28 scooter-sharing enterprise shall maintain insurance coverage at  
29 the following levels:

30           (1) Commercial general liability insurance coverage with

1 a limit of at least \$2,000,000 for each occurrence and at  
2 least \$2,000,000 in the aggregate.

3 (2) Automobile insurance coverage with a limit of at  
4 least \$1,000,000 for each occurrence and at least \$1,000,000  
5 in the aggregate.

6 (3) If the commercial electric low-speed-scooter-sharing  
7 enterprise employs an individual, workers' compensation  
8 coverage of not less than required by Federal or State law.

9 § 3535. Safety issues.

10 If a program includes the use of a highway owned or under the  
11 jurisdiction of the department, the department may restrict  
12 access, permanently or temporarily, to a segment of the highway  
13 under the program if the department identifies a pattern of  
14 safety issues that cannot be reasonably corrected. The following  
15 apply:

16 (1) The department shall establish a process to evaluate  
17 the safety issue, which shall be limited to the evaluation of  
18 accidents and damage to property on the highway.

19 (2) The department shall establish a process to  
20 communicate the safety issue and consult with an authorized  
21 municipality and commercial electric low-speed-scooter-  
22 sharing enterprise prior to restricting access.

23 § 3536. Enforcement.

24 (a) Penalties.--In addition to any fines or penalties  
25 relating to a pedalcycle under Subchapter A (relating to  
26 operation of pedalcycles), an authorized municipality may impose  
27 one or more of the following:

28 (1) A fine for the failure to operate a shared electric  
29 low-speed scooter consistent with this subchapter, not to  
30 exceed \$50.

1       (2) A fine for the failure to park a shared electric  
2 low-speed scooter consistent with this subchapter, not to  
3 exceed \$150.

4       (3) A fine on a commercial electric low-speed-scooter-  
5 sharing enterprise for each abandoned shared electric low-  
6 speed scooter that is not collected and returned to a corral  
7 or storage within three hours of the abandonment of the  
8 shared electric low-speed scooter, not to exceed \$150 per  
9 day.

10       (4) A civil penalty on a commercial electric low-speed-  
11 scooter-sharing enterprise that does not provide the  
12 insurance required under section 3534 (relating to  
13 insurance), not to exceed \$1,000 for each day that the  
14 commercial electric low-speed-scooter-sharing enterprise is  
15 operated without the required insurance. The civil penalty  
16 collected under this paragraph by the authorized municipality  
17 shall be used for the safety, operation and management of  
18 shared electric low-speed scooters or pedalcycles.

19 § 3537. Police powers.

20       (a) Presumption.--For the purposes of this subchapter, it  
21 shall be presumed to be a reasonable exercise of police power to  
22 regulate and enforce the use of shared electric low-speed  
23 scooters consistent with this subchapter and the regulation of  
24 pedalcycles, as applicable.

25       (b) Construction.--Nothing in this subchapter shall be  
26 construed to prevent the department on a State-designated  
27 highway or a local authority on a local-designated highway from  
28 the reasonable exercise of the police powers of the department  
29 or local authority in accordance with section 6109 (relating to  
30 specific powers of department and local authorities).



1 § 3538. Reports.

2 (a) Requirement.--Each authorized municipality that has  
3 established a program, in coordination with the department,  
4 shall prepare an annual report on the deployment of electric  
5 low-speed scooters under the program.

6 (b) Contents.--Each report under this section shall include  
7 the following:

8 (1) The number of rides.

9 (2) The number of accidents.

10 (3) The frequency of use.

11 (4) Any ordinance, regulation or policy adopted in  
12 accordance with this subchapter.

13 (c) Submittal.--Each report under this section shall be  
14 submitted to:

15 (1) The chairperson and minority chairperson of the  
16 Transportation Committee of the Senate.

17 (2) The chairperson and minority chairperson of the  
18 Transportation Committee of the House of Representatives.

19 (d) Posting.--Each report under this section shall be posted  
20 on the publicly accessible Internet websites of the department  
21 and the authorized municipality.

22 § 3539. Applicability and construction.

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

29 (b) Motor vehicles.--Notwithstanding any other provision of  
30 law, an electric low-speed scooter authorized under this

1 subchapter shall not be construed as a motor vehicle.

2 (c) Private ownership.--Nothing in this subchapter shall be  
3 construed to prohibit a person that is not a commercial electric  
4 low-speed-scooter-sharing enterprise from owning or operating an  
5 electric low-speed scooter. The person shall not be subject to  
6 the requirements under this subchapter that apply specifically  
7 to a commercial electric low-speed-scooter-sharing enterprise.

8 Section 2. This act shall apply as follows:

9 (1) For an authorized municipality that is a city of the  
10 second class, the provisions of 75 Pa.C.S. Ch. 35 Subch. B.1  
11 shall apply on or after the effective date of this paragraph.

12 (2) For an authorized municipality that is a city of the  
13 second class A or a city of the third class, the provisions  
14 of 75 Pa.C.S. Ch. 35 Subch. B.1 shall apply on or after the  
15 date that is 60 days after the effective date of this  
16 paragraph.

17 Section 3. This act shall take effect immediately.