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Subject: Support for HB 557 with Amendments

To: Members of the House Environment and Transportation Committee

From: Members of the National Federation of the Blind of Maryland

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Amendments to HB 557

Amendment 1:

Add the statutory definition of Electric Low Speed Scooter that was added to the Transportation Article in 2019. Read the definition below.

- (A) “ELECTRIC LOW SPEED SCOOTER” MEANS A VEHICLE THAT:
- (1) IS DESIGNED TO TRANSPORT ONLY THE OPERATOR;
 - (2) WEIGHS LESS THAN 100 POUNDS;
 - (3) HAS SINGLE WHEELS IN TANDEM OR A COMBINATION OF ONE OR TWO WHEELS AT THE FRONT AND REAR OF THE VEHICLE;

(4) IS EQUIPPED WITH HANDLEBARS AND A PLATFORM DESIGNED TO BE STOOD ON WHILE RIDING;

(5) IS SOLELY POWERED BY AN ELECTRIC MOTOR AND HUMAN POWER;AND

(6) IS CAPABLE OF OPERATING AT A SPEED OF UP TO 20 MILES PER HOUR.

(B) "ELECTRIC LOW SPEED SCOOTER"DOES NOT INCLUDE:

(1) AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE; OR

(2) AN ELECTRIC WHEELCHAIR OR OTHER MOBILITY AID USED BY A DISABLED INDIVIDUAL.

Amendment 2:

On page 2 line 27, before the words "a motor or electric scooter sharing company," insert "by January 1, 2021,"

Amendment 3:

On page 2 line 28, after the words "electric low speed scooter," add the words "or any other mode of transportation covered by the Transportation Article at 11-104."

Amendment 4:

On page 3 line 1, after the word "tactile," remove the words "phone number" and replace with "contact information."

Reasons for the Amendments

The definition of an Electric Low Speed Scooter that was added to the Transportation Article last year needs to be in this bill so that it is very clear as to which devices are covered. There was confusion about the definition in the Senate last year.

Amendments 2, 3, and 4 were suggested by the scooter industry. The National Federation of the Blind of Maryland agrees with these changes because they are reasonable. The bill will be strengthened by these amendments.

PROPOSED ACTION

The House Environment and Transportation Committee should enact HB 557, a bill requiring e-scooter companies to provide the blind pedestrians access to the same information as they provide to the sighted public. These companies must provide nonvisual access to information on their websites and phone apps so that the blind can inform such companies of obstacles and barriers caused by their own e-scooters. Companies must also provide a tactile indicator on every e-scooter so that blind pedestrians can identify and contact the owners of offending devices.

BACKGROUND

Dockless e-scooters are proliferating in the streets and roads of Maryland and the nation. E-scooters, while inexpensive and environmentally friendly, pose challenges to pedestrians due to rider behavior. E-Scooter riders operate these vehicles on sidewalks, often weaving in and out of pedestrian traffic. This causes all pedestrians, especially the elderly, children, those with mobility challenges, and the blind, to have to swerve quickly and walk defensively to avoid getting hurt. The laws prohibiting persons from riding e-scooters on sidewalks are poorly enforced.

Once a rider is finished with the ride, he may leave his e-scooter virtually anywhere. Once again, this creates a hazard for all pedestrians, particularly the elderly, children, individuals with mobility challenges, and the blind. E-scooters further impede pedestrian access because riders often leave them at or near curb cuts, in front of stoops and entrances to private homes and businesses, in front of bus stops and other public transportation hubs, near tree wells which narrow the sidewalks, or in the middle of sidewalks so that no one can get around them without having to walk into the adjacent street.

In order to notify e-scooter companies of the inappropriate placement or usage of e-scooters, users and the public are instructed to contact the appropriate company authorities, provide the offending device identification number, and make a report via that company's telephone number, website, or smart phone application. In certain localities, individuals may need to contact local law enforcement about a particular device and provide it with device identifying information. However, if these devices do not have a nonvisual means of identifying their manufacturer, operating company contact information, or identification number, blind pedestrians are denied the ability to make such reports. E-scooter websites and apps are also frequently inaccessible, which further precludes the blind from being able to report misuse of e-scooters.

ADVANTAGES OF THE PROPOSED LEGISLATION

Providing tactile identifying information on any e-scooter will benefit all pedestrians, including the blind. Providing such information is a good business practice and is not a financial burden to e-scooter companies.

Requiring company apps and websites to be nonvisually accessible makes the websites and apps easier to use for all. Maintaining nonvisual access is crucial and cost effective. Doing it right from the beginning and keeping it right avoids costly future retrofitting of websites and apps.

CONCLUSION

If sighted pedestrians have access to information so that they can contact companies regarding problems with dockless e-scooters, blind pedestrians are entitled to the same information. Members of the National Federation of the Blind of Maryland urge the House Environment and Transportation Committee to enact HB 557, with the proposed amendments. This legislation will require dockless e-scooter companies to provide nonvisual access to identifying information on all e-scooters as well as access to its websites and phone apps. This legislation must ensure that all members of the public, including the blind, have equal access to information in order to communicate with company officials and law enforcement authorities. With these provisions in place, all members of society can come to appreciate the benefits of dockless e-scooters.