

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Enrolled

Senate Bill 770

(Senator Smith)

Judicial Proceedings

Environment and Transportation

Vehicle Laws - Electric Low Speed Scooters

This bill establishes a definition for an “electric low speed scooter” under the Maryland Vehicle Law, expands the definition of “bicycle” as it applies to the Maryland Vehicle Law to include an electric low speed scooter, and specifies that the operator of an electric low speed scooter may ride by standing on a platform designed to carry the operator. The bill specifies that an electric low speed scooter is not considered a motorized minibike, motor scooter, or motor vehicle for purposes of the Maryland Vehicle Law. In addition, the bill alters the definition of “scooter” to exclude motorized vehicles.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues from application of traffic penalties to operation of electric low speed scooters. Enforcement can be handled with existing resources.

Local Effect: Potential minimal increase in local revenues from application of traffic penalties to operation of electric low speed scooters. Enforcement can be handled with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: “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.

“Electric low speed scooter” does not include an electric personal assistive mobility device or an electric wheelchair or other mobility aid used by a disabled individual.

The bill specifies that an electric low speed scooter is not a motorized minibike, motor scooter, or motor vehicle for purposes of the Maryland Vehicle Law. Under the bill, a scooter is a two-wheeled, *nonmotorized* vehicle that has handlebars and is designed to be stood on by the operator.

Current Law:

Bicycles, Under the Maryland Vehicle Law

“Bicycle,” as it applies to the Maryland Vehicle Law, means a vehicle that (1) is designed to be operated by human power; (2) has two or three wheels, one of which is more than 14 inches in diameter; and (3) has a drive mechanism, other than by pedals, directly attached to a drive wheel. An electric bicycle or moped is considered a bicycle for purposes of the Maryland Vehicle Law.

Generally, and with specified exceptions, a person operating a bicycle in a public bicycle area has the rights granted to and is subject to the duties required of the driver of a motor vehicle under the Maryland Vehicle Law. However, when lawfully operating a bicycle on a sidewalk or sidewalk area or in or through a crosswalk, a person generally has the rights and is subject to restrictions applicable to pedestrians. At an intersection, a person operating a bicycle must obey traffic control signals, including pedestrian control signals and traffic lights with steady indication. In addition, a person operating a bicycle is subject to various operational restrictions and requirements specified under the Maryland Vehicle Law.

A local authority may regulate the operation of bicycles on highways under its jurisdiction.

The operator of a bicycle or motor scooter may ride the bicycle or motor scooter only on or astride a permanent and regular seat securely attached to it.

Motor Vehicles, Under the Maryland Vehicle Law

“Motor vehicle,” as it applies to the Maryland Vehicle Law, means a vehicle that is (1) self-propelled, or propelled by electric power obtained from overhead electrical wires, and (2) not operated on rails. “Motor vehicle” includes a low speed vehicle (a four-wheeled motor vehicle with a maximum speed capability that exceeds 20 miles per hour but does

not exceed 25 miles per hour). Mopeds, motor scooters, and electric bicycles are not considered motor vehicles for purposes of the Maryland Vehicle Law.

Background: Electric scooters have become increasingly prevalent in several U.S. cities, including Baltimore City and Washington, DC, with the recent emergence of scooter sharing companies. According to media reports, in October 2018, there were an estimated 1,400 rental electric scooters in Baltimore City.

Other states, including Connecticut, Hawaii, Illinois, Indiana, Massachusetts, and Tennessee, are considering similar legislation.

Additional Information

Prior Introductions: None.

Cross File: HB 748 (Delegate Fraser-Hidalgo) - Environment and Transportation.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; National Conference of State Legislatures; General Statutes of Connecticut; Hawaii Revised Statutes; Illinois Vehicle Code; Indiana Code; Massachusetts General Laws; Tennessee Code Annotated; *Baltimore Sun*; Department of Legislative Services

Fiscal Note History: mag/kdm
First Reader - February 27, 2019
Third Reader - March 21, 2019
Revised - Amendment(s) - March 21, 2019
Revised - Updated Information - March 21, 2019
Enrolled - April 8, 2019

Analysis by: Elizabeth J. Allison

Direct Inquiries to:
(410) 946-5510
(301) 970-5510