

SENATE No. 2034

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph A. Boncore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to electric foot scooters.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|----------------------------|------------------------------------|------------------|
| <i>Joseph A. Boncore</i> | <i>First Suffolk and Middlesex</i> | |
| <i>Michelle L. Ciccolo</i> | <i>15th Middlesex</i> | <i>2/1/2019</i> |
| <i>Diana DiZoglio</i> | <i>First Essex</i> | <i>5/10/2019</i> |

SENATE No. 2034

By Mr. Boncore, a petition (accompanied by bill, Senate, No. 2034) of Joseph A. Boncore and Michelle L. Ciccolo for legislation relative to electric foot scooters . Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to electric foot scooters.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of Chapter 90 of the General Laws, as appearing in the 2016
2 General Edition, is hereby amended by adding the following definition:

3 “Electric foot scooter”, any device weighing less than 100 pounds, with two or three
4 wheels, handlebars and a floorboard that can be stood upon while riding, which is solely
5 powered by an electric motor and/or human power, and whose maximum speed, with or without
6 human propulsion on a paved level surface, is no more than twenty miles per hour. An electric
7 foot scooter is not a motorized scooter.

8 SECTION 2. Section 1 of Chapter 90 of the General Laws, as appearing in the 2016
9 General Edition, is hereby amended as follows:

10 In line 6 of the definition of “motorized scooter”, adding the words “or an electric foot
11 scooter”.

12 "Motorized scooter", any 2 wheeled tandem or 3 wheeled device that has handlebars,
13 designed to be stood or sat upon by the operator, powered by an electric or gas powered motor
14 that is capable of propelling the device with or without human propulsion. The definition of
15 "motorized scooter" shall not include a motorcycle or motorized bicycle or a 3 wheeled
16 motorized wheelchair or an electric foot scooter.

17 In line 14 of the definition of "motor vehicles", adding the words "or electric foot
18 scooters" following "bicycles".

19 "Motor vehicles", all vehicles constructed and designed for propulsion by power other
20 than muscular power including such when pulled or towed by another motor vehicle, except
21 railroad and railway cars, vehicles vehicles operated by the system known as trolley motor or
22 trackless trolley under chapter one hundred and sixty-three or section ten of chapter five hundred
23 and forty-four of the acts of nineteen hundred and forty-seven, vehicles running only upon rails
24 or tracks, vehicles used for other purposes than the transportation of property and incapable of
25 being driven at a speed exceeding twelve miles per hour and which are used exclusively for the
26 building, repair and maintenance of highways or designed especially for use elsewhere than on
27 the travelled part of ways, wheelchairs owned and operated by invalids and vehicles which are
28 operated or guided by a person on foot; provided, however, that the exception for trackless
29 trolleys provided herein shall not apply to sections seventeen, twenty-one, twenty-four, twenty-
30 four I, twenty-five and twenty-six. The definition of "Motor vehicles" shall not include
31 motorized bicycles or electric foot scooters. In doubtful cases, the registrar may determine
32 whether or not any particular vehicle is a motor vehicle as herein defined. If he determines that it
33 should be so classified, he may require that it be registered under this chapter, but such

34 determination shall not be admissible as evidence in any action at law arising out of the use or
35 operation of such vehicle previous to such determination.

36 SECTION 3. Chapter 90 of the General Laws, is hereby amended by inserting after
37 Section 1I the following chapter:

38 Section 1J. An electric foot scooter shall not be operated upon any way, as defined in
39 section one within the commonwealth, at a speed in excess of twenty miles per hour.

40 An electric foot scooter may be operated where bicycles are permitted to travel, and a
41 person operating an electric foot scooter shall have the right to use all public ways in the
42 commonwealth except limited access or express state highways where signs specifically
43 prohibiting electric foot scooters or bicycles have been posted. An electric foot scooter may be
44 parked on a sidewalk in a manner not impeding the normal flow of pedestrian traffic.

45 An electric foot scooter operator shall be subject to all traffic laws and regulations of the
46 commonwealth, provided that 1) an electric foot scooter operator shall keep to the right side of
47 the road, including when passing a motor vehicle which is moving in the travel lane of the way,
48 unless the electric foot scooter operator is preparing to execute a left turn or when reasonably
49 necessary to avoid hazardous conditions; 2) an electric foot scooter operator shall yield to
50 pedestrian traffic at all times.

51 An electric foot scooter shall be equipped with a brake, and, when in use at nighttime,
52 with lights visible from the front and the rear.

53 Every person under age sixteen operating an electric foot scooter shall wear protective
54 headgear conforming with such minimum standards of construction and performance as the
55 registrar may prescribe.

56 No person operating an electric foot scooter shall permit any other person to ride as a
57 passenger on the electric foot scooter.

58 A person convicted of a violation of this section shall be punished by a fine of not more
59 than twenty-five dollars for the first offense, not less than twenty-five nor more than fifty dollars
60 for a second offense, and not less than fifty nor more than one hundred dollars for subsequent
61 offenses committed.

62 SECTION 4. Said chapter 90 is hereby further amended by inserting after section 1J the
63 following section:-

64 Section 1K: Electric foot scooters; the department to issue recommendations regarding
65 best practices for the safe operation of electric foot scooters. The recommendations and best
66 practices may: (1) establish vehicle specifications and speed limits; (2) establish age restrictions
67 on the use of certain personal micro-mobility devices; (3) establish restrictions on the operation
68 of personal micro-mobility devices on sidewalks; (4) determine the number of passengers such
69 devices can safely transport; (5) establish data sharing and protection requirements for persons or
70 entities engaged in the retail business of renting personal micro-mobility devices; (6) establish
71 fines to be assessed for violations upon electric foot scooters; and (7) address any other matters
72 related to safe operation of electric foot scooters.