

SENATE No. 2264

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>Lydia Edwards</i>	<i>First Suffolk and Middlesex</i>	<i>1/31/2022</i>

SENATE No. 2264

By Mr. Boncore, a petition (accompanied by bill, Senate, No. 2264) of Joseph A. Boncore and Lydia Edwards for legislation relative to electric foot scooters. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2034 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

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 2018
2 Official Edition, is hereby amended by inserting after the definition of “Department” the
3 following 2 definitions:-

4 “Electric bicycle”, a bicycle or tricycle equipped with fully operable pedals and an
5 electric motor of less than 750 watts that meets at least 1 of the following 3 classes: (i) class 1, a
6 bicycle or tricycle equipped with a motor that provides assistance only when the rider is pedaling
7 and that ceases to provide assistance when the bicycle or tricycle reaches the speed of 20 miles
8 per hour; (ii) class 2, a bicycle or tricycle equipped with a motor that may be used exclusively to
9 propel the bicycle or tricycle and that is not capable of providing assistance when the bicycle
10 reaches the speed of 20 miles per hour; or (iii) class 3, a bicycle or tricycle equipped with a

11 motor that provides assistance only when the rider is pedaling and that ceases to provide
12 assistance when the bicycle reaches the speed of 28 miles per hour.

13 “Electric foot scooter”, a device, not including a motorized scooter, that weighs less than
14 100 pounds, has handlebars, 2 or 3 wheels and a floorboard that can be stood upon while riding,
15 is solely powered by an electric motor or human power and has a maximum speed, with or
16 without human propulsion on a paved level surface, of not more than 20 miles per hour.

17 SECTION 2. Said section 1 of said chapter 90, as so appearing, is hereby further
18 amended by inserting after the word “hour”, in line 264, the following words: - ; provided,
19 however, that “motorized bicycle” shall not include an electric bicycle.

20 SECTION 3. Said section 1 of said chapter 90, as so appearing, is hereby further
21 amended by inserting after the word “wheelchair”, in line 270, the following words:- , electric
22 bicycle or an electric foot scooter.

23 SECTION 4. Said section 1 of said chapter 90, as so appearing, is hereby further
24 amended by inserting after the word “bicycles”, in lines 287 and 288, the following words:- or an
25 electric bicycle or an electric foot scooter.

26 SECTION 5. Said chapter 90 is hereby further amended by inserting after section 1I the
27 following 2 sections:-

28 Section 1J. An electric foot scooter shall not be operated upon any way at a speed in
29 excess of 20 miles per hour.

30 An electric foot scooter may be operated where bicycles are permitted to travel and a
31 person operating an electric foot scooter shall have the right to use all public ways, except

32 limited access or express state highways where signs specifically prohibiting electric foot
33 scooters or bicycles have been posted. An electric foot scooter may be parked on a sidewalk in a
34 manner not impeding the normal flow of pedestrian traffic.

35 An electric foot scooter operator shall be subject to all traffic laws and regulations;
36 provided, however, that an electric foot scooter operator shall keep to the right side of the road,
37 including when passing a motor vehicle which is moving in the travel lane of the way unless the
38 electric foot scooter operator is preparing to execute a left turn or when reasonably necessary to
39 avoid hazardous conditions; and provided further, that an electric foot scooter operator shall
40 yield to pedestrians.

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

43 A person under the age 16 who operates an electric foot scooter shall wear protective
44 headgear that conforms with such minimum standards of construction and performance as the
45 registrar may prescribe.

46 No person operating an electric foot scooter shall permit another person to ride as a
47 passenger thereon.

48 A person convicted of a violation of this section shall be punished by a fine of not more
49 than \$25 for a first offense, not less than \$25 nor more than \$50 for a second offense and not less
50 than \$50 nor more than \$100 for a third or subsequent offense.

51 Section 1K. The department shall issue recommendations and best practices for the safe
52 operation of electric foot scooters that may: (i) establish vehicle specifications and speed limits;

53 (ii) establish age restrictions on the use of certain personal micromobility devices; (iii) establish
54 restrictions on the operation of personal micromobility devices on sidewalks; (iv) determine the
55 number of passengers such devices may safely transport; (v) establish data sharing and
56 protection requirements for persons or entities engaged in the retail business of renting personal
57 micromobility devices; (vi) establish fines to be assessed for violations involving the use electric
58 foot scooters; and (vii) address any other matters related to safe the operation of electric foot
59 scooters.