

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: H4/5/19

A Bill

HOUSE BILL 1619

5 By: Representatives G. Hodges, Pilkington, D. Whitaker
6 By: Senator B. Davis
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE ELECTRIC MOTORIZED SCOOTER ACT;
10 AND FOR OTHER PURPOSES.
11

Subtitle

14 TO CREATE THE ELECTRIC MOTORIZED SCOOTER
15 ACT.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 27, Chapter 51, is amended to add an
21 additional subchapter to read as follows:
22

Subchapter 19 – Electric Motorized Scooter Act

27-51-1901. Title.

26 This subchapter shall be known and may be cited as the “Electric
27 Motorized Scooter Act”
28

27-51-1902. Definitions.

30 As used in this subchapter:

31 (1)(A) "Electric motorized scooter" means a device that:

32 (i) Weighs less than one hundred pounds (100 lbs);

33 (ii) Has two (2) or three (3) wheels;

34 (iii) Has a handlebar;

35 (iv) Is equipped with a floorboard that can be used
36 to stand on while riding the electric motorized scooter;



1 (v) Is powered by an electric motor; and
2 (vi) Has a maximum speed of twenty miles per hour
3 (20 m.p.h.) with or without human propulsion on a paved level surface.

4 (B) "Electric motorized scooter" does not include:

5 (i) A motorcycle, an electric bicycle, an electric
6 personal assisted mobility device, a motor-driven cycle, a motorized bicycle
7 as defined in § 27-20-101, or a moped; or

8 (ii) An electric bicycle under § 27-51-1702;

9 (2) "Scooter-share operator" means a person or company offering
10 a shared scooter for hire;

11 (3) "Scooter-share program" means a service in which a shared
12 scooter is made available to use for hire; and

13 (4) "Shared scooter" means an electric motorized scooter offered
14 for hire.

15
16 27-51-1903. Operation of an electric motorized scooter.

17 An electric motorized scooter shall not be operated:

18 (1) By a person under sixteen (16) years of age; or

19 (2) At a speed greater than fifteen miles per hour (15 m.p.h.).
20

21 27-51-1904. Shared scooter – Insurance required.

22 (a)(1) A shared scooter shall bear a unique alphanumeric
23 identification number.

24 (2) The alphanumeric identification number shall be:

25 (A) Visible from a distance of five feet (5') and not be
26 covered by a branding or other marking; and

27 (B) Used throughout the state, including by a local
28 authority, to identify the shared scooter.

29 (b) A scooter-share operator shall carry the following insurance
30 coverage dedicated exclusively for operation of a shared scooter:

31 (1) Commercial general liability insurance coverage with a limit
32 of no less than one million dollars (\$1,000,000) for each occurrence and five
33 million dollars (\$5,000,000) aggregate;

34 (2) Umbrella or excess liability coverage with a limit of no
35 less than five million dollars (\$5,000,000) for each occurrence and five
36 million dollars (\$5,000,000) aggregate; and

1 (3) Workers' compensation coverage as required by law.

2
3 27-51-1905. Local authority regulation of electric motorized scooters.

4 (a) Except as otherwise provided by law, a local authority may
5 establish reasonable standards, rules, or regulations providing for the:

6 (1) Safe operation of electric motorized scooters; and

7 (2) Presence of electric motorized scooters on public property.

8 (b) A local authority may require a scooter-share operator to provide
9 the local authority anonymized fleet and ride activity data for all trips
10 starting or ending within the jurisdiction of the local authority and all
11 ride activity resulting in an accident report provided that, to ensure
12 individual privacy, the anonymized fleet and ride activity data is:

13 (1) Provided to a local authority through an application
14 programming interface, subject to the scooter-share operator's license
15 agreement for the interface, in compliance with a national data format
16 standard such as the mobility data specification;

17 (2) Treated as trade secret and proprietary business
18 information;

19 (3)(A) Considered personally identifiable information.

20 (B) The anonymized fleet and ride activity data shall not
21 be disclosed pursuant to public records requests received by the local
22 authority without prior aggregation or anonymization to protect individual
23 privacy; and

24 (4) Released to law enforcement if required by state or federal
25 law.

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27 /s/G. Hodges

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30 **APPROVED: 4/15/19**