

# SENATE . . . . . No. 2049

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## The Commonwealth of Massachusetts

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PRESENTED BY:

*Nick Collins*

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*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 micro-mobility and motorized scooters.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Nick Collins</i>	<i>First Suffolk</i>	
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>1/28/2019</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/30/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/1/2019</i>

# SENATE . . . . . No. 2049

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By Mr. Collins, a petition (accompanied by bill, Senate, No. 2049) of Nick Collins, William N. Brownsberger, Jennifer E. Benson and Rebecca L. Rausch for legislation relative to micro-mobility and motorized scooters. Transportation.

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## The Commonwealth of Massachusetts

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

An Act relative to micro-mobility and motorized 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           Official Edition, is hereby amended by inserting after the definition of “Lawful status” the  
3           following definition:-

4           “Lightweight motorized scooter,” any 2 wheeled tandem or 3 wheeled device, that has  
5           handlebars, with a device weight of 50 pounds or less, designed to be stood or sat upon by the  
6           operator, powered by a motor that is capable of propelling the device with or without human  
7           propulsion. A lightweight motorized scooter is considered to be a personal micro-mobility  
8           device. The definition of “lightweight motorized scooter” shall not include a motorcycle or  
9           motorized bicycle or a 3 wheeled motorized wheelchair.

10          SECTION 2. Said section 1 of said chapter 90, as so appearing, is hereby further  
11         amended by inserting after the definition of “Owner-contractor” the following definition:-

“Personal micro-mobility device,” any device intended for personal transportation with a weight of 50 pounds or less designed to be stood or sat upon, powered by an electric or gas powered motor capable of propelling the device without human propulsion. The department may determine if a device meets the definition in section 1K of this chapter.

SECTION 3. The definition of “motor vehicle” of said section 1 of said chapter 90, as so appearing, is hereby amended by inserting after the word “bicycle” in line XXX the following words:- , or lightweight electric scooter.

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

Section 1J: Lightweight motorized scooters; operation regulations

Section 1J. A lightweight motorized scooter shall not be operated on any way at a speed in excess of 15 miles per hour. A person operating a lightweight motorized electric scooter upon a way shall have the right to use all public ways in the commonwealth including off-street recreational bicycle paths and excluding limited access or express state highways where signs specifically prohibiting scooters or bicycles have been posted, and shall be subject to all traffic laws and regulations of the commonwealth and the regulations contained in this section, except that: (1) a lightweight motorized scooter operator shall keep to the right side of the road at all times, including when passing a motor vehicle which is moving in the travel lane of the way; (2) the lightweight motorized scooter shall be equipped with a front facing light and a rear facing light, and operational turn signals so that the operator can keep both hands on the handlebars at all times; and (3) lightweight motorized scooters may be operated on sidewalks outside business districts unless otherwise directed by local ordinance or other regulation. A person operating a

lightweight motorized scooter on the sidewalk shall yield the right of way to pedestrians and give an audible signal before overtaking and passing any pedestrian.

No person operating a lightweight motorized scooter shall permit any other person to ride as a passenger on the scooter.

SECTION 5. Said chapter 90 is hereby further amended by inserting after section 1J the following section:-

Section 1K: Personal micro-mobility devices; establishment of regulatory authority

Section 1K. (a) The department shall promulgate rules and regulations for the safe operation of personal micro-mobility devices as needed. The regulations may address, but are not limited to, the following: (1) establish vehicle specifications and speed limits; (2) establish age restrictions on the use of certain personal micro-mobility devices; (3) establish restrictions on the operation of personal micro-mobility devices on certain public ways; (4) determine the number of passengers the device can safely transport (5) annually require persons or entities engaged in the retail business of renting personal micro-mobility devices to report the number of crashes incurred by their devices that resulted in serious bodily injury or death; and (6) establish other personal micro-mobility data reporting requirements for persons or entities engaged in the retail business of renting personal micro-mobility devices; (7) determine fines to be assessed should an individual or person or entity engaged in the retail business of providing micro-mobility devices be found in violation of said rules and regulations. (8) address other matters related to safe operation of personal micro-mobility devices as needed.

(b) Nothing in this section shall prevent cities and towns from adopting local regulations to manage persons or entities engaged in the retail business of renting personal micro-mobility

56 devices. Such regulatory and enforcement powers may include, but are not limited to, the  
57 municipality's ability to charge persons or entities engaged in the retail business of renting  
58 personal micro-mobility devices a reasonable fee to offset the municipality's cost for managing  
59 and overseeing the shared operation of these devices and maintaining necessary infrastructure;  
60 removal authority if devices remain in violation after notice of violation of local regulations,  
61 with cost to be borne by person or entity engaged in retail business of renting personal micro-  
62 mobility devices; imposing fees and penalties on persons or entities engaged in the retail  
63 business of renting personal micro-mobility devices for violation of local regulations, and  
64 designating limitations on the number of persons or entities engaged in the retail business of  
65 renting personal micro-mobility devices that may operate in a municipality or quantity of devices  
66 offered to the public for rental.