



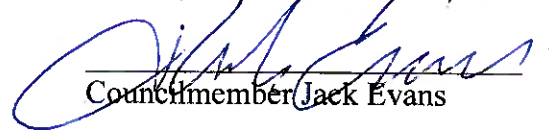
Councilmember Charles Allen



Councilmember Brianne K. Nadeau



Councilmember Mary M. Cheh



Councilmember Jack Evans

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Traffic Act, 1925 to create definitions for electric scooters, and battery-assisted bicycles; to direct the Director of the Department of Transportation to create rules governing electric mobility devices; to require an electric mobility device permit for the operation of an electric mobility device fleet; to require permitted operators to pay a performance bond to the District in order to pay for damage to public property and other costs; to require permitted operators to provide fleet and trip data and complaint statistics to the Director; to require permitted operators to maintain at least 10% of its fleet in each ward by 6:00a.m. each day; to require permitted operators to remove their fleet from the public right-of-way between 10:00p.m. and 4:00a.m.; to require permitted operators to maintain a 24-hour toll-free customer service line for the public to report inoperable or illegally parked electric mobility devices and other complaints and to move the devices within three hours of being notified of their alleged violation of the law; to ban the use of electric scooters between 10:00p.m. and 4:00a.m.; to require permitted operators to view a valid photo-identification card from each user before use; to provide for a mechanism for the Director to increase or reduce a permitted operator's fleet; to set the speed limit of electric scooters used on the street or in a bike path to 15 miles per hour and 6 miles per hour while used on sidewalk; to limit the speed at which a battery-assisted bicycle may provide assistance to 20 miles per hour; to require electric scooters to have a speedometer; to require the Director to construct signage or create conspicuous pavement markings alerting electric mobility device users when they are entering the Central Business District; to require the Director to seek approval from the Council in order to increase the aggregate number of electric scooters in the District to over 15,000; to require electric mobility device users to park devices in an upright position with at least four feet of unobstructed pedestrian walkway; to establish a parking pilot to create electric scooter exclusive parking locations; and to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may
be cited as the “Electric Mobility Devices Amendment Act of 2019”.

TITLE I. ELECTRIC MOBILITY DEVICES

Sec. 101. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

(a) Section 2 (D.C. Official Code § 50-2201.02) is amended as follows:

(1) A new paragraph (6A) is added to read as follows:

“(6A)(A) “Electric scooter” means a device weighing less than 100 pounds that:

“(i) Has handlebars and an electric motor;

“(ii) Is solely powered by the electric motor and/or human power;

and

“(iii) Has a maximum speed that does not exceed 15 miles per hour
on a paved level surface when powered solely by the electric motor.

“(B) “Electric scooter” shall not include a motored bicycle, personal
mobility device as defined in this section, motorcycle, battery-assisted bicycle, or moped.”.

(2) Paragraph (11) is amended to read as follows:

“(11) “Motor vehicle” means all vehicles propelled by internal-combustion
engines, electricity, or steam. The term “motor vehicle” shall not include traction engines, road
rollers, vehicles propelled only upon rails or tracks, electric scooter, personal mobility devices,
as defined in paragraph (13) of this section, a battery-assisted bicycle, as defined in paragraph
(22) of this section, or a battery-operated wheelchair when operated by a person with a
disability.”.

(3) Paragraph (13) is amended to read as follows:

“(13) “Personal mobility device” or “PMD” means a motorized propulsion device designed to transport one person or a self-balancing, two non-tandem wheeled device, designed to transport only one person with an electric propulsions system, but does not include:

“(A) A battery-operated wheelchair; or

“(B) An electric mobility device.”.

(4) Paragraph (19)(D) is amended to read as follows:

“(D) Any other vehicle that provides transportation for a fee not operated on a schedule or between fixed termini and operating in the District, including taxicabs, limousines, party buses, and pedicabs, but not including electric mobility devices.”.

(5) A new paragraph (21) is added to read as follows:

“(21) “Director” means the Director of the District Department of Transportation.”.

(6) A new paragraph (22) is added to read as follows:

“(22) “Battery-assisted bicycle” means a bicycle with an electric motor that can assist the operator in powering the bicycle and does not provide assistance while the bicycle is being operated at a speed greater than 20 miles per hour. The term “battery-assisted bicycle” shall not include electric scooters, personal mobility devices, as defined in paragraph (13) of this section, or a battery-operated wheelchair when operated by a person with a disability.”.

(6) A new paragraph (23) is added to read as follows:

“(23) “Electric mobility device” means an electric scooter or a battery-assisted bicycle.”.

(7) A new paragraph (24) is added to read as follows:

92 “(24) “Electric mobility device fleet” means all electric mobility devices of any
93 single type of electric mobility device deployed by a permitted operator.”.

94 (8) A new paragraph (25) is added to read as follows:

95 “(25) “Electric mobility device permit” means a public-right-of-way occupancy
96 permit issued to an electric-mobility device operating company to offer electric-mobility devices
97 for rental in the public right-of-way in the District.”.

98 (9) A new paragraph (26) is added to read as follows:

99 “(26) “Electric mobility device operating company” means a company that
100 provides rental of battery-assisted bicycles, or electric scooters from the public right-of-way
101 without requiring the installation of any infrastructure within the public right-of-way.”.

102 (10) A new paragraph (27) is added to read as follows:

103 “(27) “Permitted operator” means an electric mobility operating company that has
104 an electric mobility device permit.”.

105 (11) A new paragraph (28) is added to read as follows:

106 “(28) “Personal Information” means information that can reasonably be used to
107 contact or distinguish a person, including, but not limited to, internet protocol addresses, device
108 identifiers, bank or credit card information, home addresses, email addresses, or phone
109 numbers.”.

110 (b) A new section (6b) is added to read as follows:

111 “Sec. (6b). Regulations for electric mobility devices.

112 “(a) The Director, pursuant to Title I of the District of Columbia Administrative
113 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),
114 shall issue rules governing electric mobility devices, including establishing:

“(1) Terms and conditions for an electric mobility device permit;
“(2) An application process for obtaining an electric mobility device permit;
“(3) A process by which a permit may be revoked if the permitted operator does not comply with the terms and conditions of the electric mobility device permit or this subtitle.

“(4) The term for which a permit lasts before requiring renewal;

“(5) The penalties and fines associated with the failure to comply with this subtitle, with excessive complaints made against a single permitted operator, and with failure to comply with the rules issued by the Director;

“(6) The amount of the performance bond permitted operators must provide to operate in the District; and

“(7) That electric mobility devices are subject to the same safe operation requirements as bicycles in section 1201 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 1201).”.

(c) A new section (9e) is added to read as follows:

“Sec. (9e). Operation of electric mobility devices.

“(a) No electric mobility device operating company shall offer electric mobility devices for rental without an electric mobility device permit issued by the Director.

“(b) An electric mobility device permit shall be subject to terms and conditions as may be imposed by law, regulation, or the Director.

“(c)(1) To obtain an electric mobility device permit, an electric mobility device operating company shall apply to the Director as the Director shall require by rule.

“(2) The Director may issue an electric mobility device permit to an electric mobility device operating company that has submitted an application, to the Director’s satisfaction.

138 “(3) The Director shall require a separate electric mobility device permit for each type of
139 electric mobility device offered by a permitted operator in the District.

140 “(4) The Director shall require permitted operators to provide a performance bond in an
141 amount and form specified by the Director, the funds of which shall be applied to pay for:

142 “(A) Damage to public property caused by a permitted operator’s electric mobility
143 devices;

144 “(B) The fine associated with an electric mobility device that is illegally parked,
145 provided that the permitted operator was given notice of the infraction and it was not moved
146 within three hours as required by this subtitle or overnight as required by this subtitle; and

147 “(C) The relocation of a permitted operator’s electric mobility device that is
148 parked illegally, provided that the permitted operator was given notice of the infraction and it
149 was not moved within three hours as required by this subtitle or overnight as required by this
150 subtitle.

151 “(d)(1) A permitted operator shall collect and provide the Director on the first of each
152 month with data regarding its electric mobility device fleet and trip activity within the District
153 during the previous month, including the times, routes, origin, destination locations, and
154 complaints made against the permitted operator via the toll-free number or online, as well as any
155 other data the Director determines is pertinent to managing electric mobility device operators or
156 providing safe streets and infrastructure; provided that the data sharing is subject to the following
157 conditions:

158 “(A) All data provided to the Director relating to the times, routes, and origin and
159 destination locations of electric mobility device trips shall be considered personal information
160 which must be stored in a secure fashion with controlled access granted only to staff essential to

the Director's administration of this subchapter, and shall not be released to any other individual without aggregation that makes identification of specific individuals and specific electric mobility device operators indeterminable; and

“(B) The Director shall not disclose to the public unaggregated data provided by an electric mobility device operator under this paragraph, including in response to a request pursuant to Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

“(2) If a permitted operator determines that a breach of its data system has occurred and that the breach has placed user personal information at risk, the permitted operator must, within 48 hours of that determination, notify the Department and all current and prior users of its electric mobility devices of the breach who may be affected by it and the likely consequences of it.

“(e)(1) A permitted operator shall:

“(A) Maintain an electric mobility device fleet of no more than 600 vehicles of each type of electric mobility device for which the permitted operator has an electric mobility device permit, subject to paragraphs 2 and 3 of this subsection, provided that the permitted operator may maintain a larger fleet if granted permission by the Director under the then-existing Public Right-Of-Way Occupancy Permits;

“(B) Balance each electric mobility device fleet by having at least 10% of its fleet in each ward by 6:00 a.m. each day;

“(C) Operate a 24-hour toll-free customer service phone number for users, the general public, and District officials to report electric mobility devices that are inoperable or suspected of being operated or parked in an apparent violation of the law and to file complaints;

“(D) Remove its electric mobility devices from any public right-of-way between 10:00p.m. and 4:00a.m. as determined by the Director in the Rule and Regulations adopted under this subtitle;

“(E) Cease the operations of its electric scooters between the hours of 10:00p.m. and 4:00a.m.;

“(F) Remove or reposition its electric mobility devices that are parked illegally within three hours of being notified of a violation by DDOT, any other government agency, or the public;

“(G) Ensure that its electric mobility devices adhere to applicable national safety standards;

“(H) Require electric scooter users to present valid photo-identification, such as a driver’s license, state-issued identification card, federal government issued identification card, or university-issued identification card before operating an electric mobility device; and

“(I) Comply with all other requirements established by the Director for the operation of electric mobility devices.

“(2) The Director may permit a permitted operator to increase its electric mobility device fleet in excess of 600 vehicles on a quarterly basis if the permitted operator provides verified data demonstrating that the utilization of the permitted operator’s fleet maintains an average of two or more rides per vehicle per day, and the Director deems that the permitted operator’s operations are in substantial compliance with this Act and Rules issued by the Director.

“(3) The Director shall direct a permitted operator to decrease its electric mobility device fleet to no fewer than 600 vehicles on a quarterly basis if the permitted operator provides verified

data demonstrating that the utilization of the permitted operator's fleet maintains an average of less than one ride per vehicle per day, if the Director deems that its operations are not in substantial compliance with this Act and Rules issued by the Director, or if the permitted operator has been the subject of what the Director deems to be a disproportionate amount of complaints from the general public.

“(4) The Director shall not permit the aggregate number of electric scooters in use in the District to increase above 15,000 units without approval by the Council.

“(5) The Director shall construct signage or create conspicuous pavement markings on major electric mobility device routes and bike routes into and inside of the Central Business District alerting users that they may not operate electric mobility devices on sidewalks within the Central Business District as defined by section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901).

“(f)(1) An electric mobility device shall meet any applicable federal or District safety laws or regulations.

“(2) An electric mobility device shall be equipped with a headlight or headlamp and taillight to be used when the safe operation of the device requires it.

“(3) An electric scooter shall be equipped with a speedometer.

“(g) A permitted operator shall educate users regarding the law applicable to operating and parking an electric mobility device, including by notifying each user through the permitted operator's mobile application that:

“(1) Users must be at least 16 years of age;

“(2) Users under 18 years of age shall wear helmets;

“(3) Users shall park legally;

230 “(4) User shall not ride with passengers;

231 “(5) Users shall yield to pedestrians;

232 “(6) Users shall park electric scooters in corrals when available;

233 “(7) Users shall ride electric scooters in bike lanes when available; and

234 “(8) Users shall not ride on sidewalks within the Central Business District.

235 “(h) A person may operate an electric scooter at up to 15 miles per hour on a roadway,

236 trail, bicycle lane, or bicycle path, and up to 6 miles per hour on a sidewalk. Failure to adhere to

237 these speed limits may result in a fine.

238 “(i) A person shall not operate an electric mobility device:

239 “(1) If the person is under 16 years of age;

240 “(2) Upon a sidewalk within the Central Business District, as defined by section

241 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901);

242 “(3) With a passenger;

243 “(4) While carrying any package, bundle or other article that hinders the person

244 from keeping both hands on the handlebars; or

245 “(5) On any roadway or sidewalk while the person is wearing a headset,

246 headphone, earphone, unless the device is used to improve the hearing of a person with a hearing

247 impairment or covers or is inserted in one ear only.

248 “(j) A person shall park an electric mobility device in an upright position in such a

249 manner as to:

250 “(1) Afford at least four feet of unobstructed pedestrian walkway; and

251 “(2) Maintain unimpeded access to entrances to private property and driveways.

252 “(3) Maintain unimpeded access to handicap accessible ramps or parking spots.

“(k) A person shall not park an electric mobility device on private or federal property.”.

“(l) A battery-assisted bicycle shall not provide assistance to the user while operating at speeds greater than 20 miles per hour.

“(m) A permitted operator may not display third party advertising on its electric mobility devices, provided that an operator may display the name and logo of its parent company.

“(n) A permitted operator shall display a plainly visible logo or name on its devices to assist the public in identifying which devices belong to which permitted operator.

“(o) A permitted operator shall provide the public with data via its website or app regarding how much of its fleet and what parts, if any, of its electric mobility devices are reused or recycled at the end of the electric mobility device’s useful life.”.

(d) A new section (6c) is added to read as follows:

“Sec. (6c). Electric Scooter Parking Pilot.

“(a) By July 1, 2020, the Department of Transportation (“DDOT”) shall establish a pilot program to create one or more painted parking spaces per BID, as that term is defined in section 3(7) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.02(7)) (“BID Act”), on sidewalks or on streets for the exclusive use of electric scooters.

“(b)(1) At a minimum, the parking spaces shall:

“(A) Be painted a color that sets the parking space apart from its surroundings; and

“(B) Be clearly labelled to indicate that the parking space is intended for electric scooters only.

“(2) Labelling a parking space as “Scooters Only” or a similar variant or using an illustration is acceptable for satisfying the requirement of paragraph (1)(B) of this subsection.

“(c) Nothing in this section shall be construed to limit DDOT’s authority to create parking spaces designated exclusively for electric scooters throughout the District.

“(d) DDOT may accept funds from a BID corporation, established in accordance with the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11- 134; D.C. Official Code § 2-1215.01 *et seq.*), and donated pursuant to section 115 of Title III of Division C of the Consolidated Appropriations Resolution, 2003, approved February 20, 2003 (117 Stat. 123; D.C. Official Code § 1-329.01); provided, that such funds be expended for the purpose of painted parking spaces for electric scooters in that BID corporation’s business improvement district.

“(e) Before the date described in subsection (f) of this section, DDOT shall transmit a report to the Council on the efficacy of the pilot program, which shall include recommendations on whether there is a continued need for parking spaces designated exclusively for electric scooters in the District.

“(f) This section shall expire on December 31, 2021.”.

TITLE II. CONFORMING AMENDMENTS

Sec. 201. Section 3(17) of the Compulsory/No Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2402(17)), is amended to read as follows:

“(17) The term “motor vehicle” means any device propelled by an internal-combustion engine, electricity, or steam, including any non-operational vehicle that is being restored or repaired. The term “motor vehicle” does not include traction engines used exclusively

for drawing vehicles in fields, road rollers, vehicles propelled only upon rails and tracks, personal mobility devices, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 202. Section 1(6) of An Act To provide for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia, and for other purposes, approved April 22, 1960 (74 Stat. 69; D.C. Official Code § 50-601(6)), is amended to read as follows:

"(6) "Motor vehicle" means any automobile, mobile home, motorcycle, truck, truck tractor, trailer, semi-trailer, or bus. The term "motor vehicle" shall not include any boat trailer, any vehicle propelled or drawn exclusively by muscular power, any vehicle designed to run only on rails or tracks, a personal mobility device, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 203. Section 8 of An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1108), is amended to read as follows:

"Sec. 8. As used in this act, the term "motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include

traction engines, road rollers, vehicles propelled only upon rails or tracks, personal assistive mobility devices, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), electric mobility devices, as defined by section 2(23) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery- operated wheelchair when operated by a person with a disability."

Sec. 204. Section 1(9) of An Act To provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes, approved July 2, 1940 (54 Stat. 736; D.C. Official Code § 50-1201), is amended to read as follows:

"(9) "Motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2(23) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 205. Section 2(4) of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 120; D.C. Official Code § 50-1301.02(4)), is amended to read as follows:

"(4) Motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The term "motor vehicle" shall not include personal mobility devices, as defined by section

2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 206. Section 1(a) of Title IV of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 679; D.C. Official Code § 50-1501.01(1)), is amended as follows:

"(a) The term "motor vehicle" means any vehicle propelled by internal-combustion engine, electricity, or steam, including any non-operational vehicle that is being restored or repaired. The term "motor vehicle" shall not include road rollers, farm tractors, vehicles propelled only upon stationary rails or tracks, personal mobility devices, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 207. Section 2(b) of the Rental Vehicle Tax Reform Act of 1978, effective March 6, 1979 (D.C. Law 2-157; D.C. Official Code § 50-1505.01(2)), is amended to read as follows:

"(b) The term "motor vehicle" means any device propelled by an internal-combustion engine, and designed to carry passengers. The term "motor vehicle" shall not include road rollers, farm tractors, trucks, motorcycles, motorized bicycles, vehicles with a seating capacity of 10 or more persons, vehicles propelled only upon rails and tracks, personal mobility

devices, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 208. Section 1(8) of the District of Columbia Implied Consent Act, approved October 21, 1972 (86 Stat. 1016; D.C. Official Code § 50-1901(8)), is amended to read as follows:

"(8) The term "motor vehicle" means all vehicles propelled by internal combustion engines, electricity, or steam. The term "motor vehicle" shall not include personal mobility devices, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 209. Section 102(e-1) of the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2301.02(5A)), is amended to read as follows:

"(e-1) The term "motor vehicle" means all vehicles propelled by an internal-combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon stationary rails or tracks, personal mobility devices, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices,

as defined by section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when a person with a disability."

Sec. 210. Section 2(5) of the District of Columbia Motor Vehicle Parking Facility Act of 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2602(5)), is amended to read as follows:

"(5) The term "motor vehicle" means any device propelled by an internal combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

Sec. 211. Chapter 12 of Title 18 of the District of Columbia Municipal Regulations (Vehicles and Traffic) is amended as follows:

(a) The heading is amended to read as follows:
§ 18-1200. Bicycles, Motorized Bicycles, Personal Mobility Devices, and Electric Mobility Devices: General Provisions".

(b) Section 1200 is amended as follows:

(1) Subsection 1200.4 is amended by striking the phrase "bicycle or personal mobility device" and inserting the phrase "bicycle, personal mobility device, or electric mobility device".

(2) Subsection 1200.6 is amended by striking the phrase “bicycle, sidewalk bicycle, or a personal mobility device.” and inserting the phrase “bicycle, sidewalk bicycle, personal mobility device, or an electric mobility device.” in its place.

(3) Subsection 1200.8 is amended to read as follows:

“1200.8 No person, except for impoundment by the Mayor, shall tamper with any bicycle, electric mobility device, or personal mobility device that has been locked, placed in a rack, or otherwise secured; provided, that an electric mobility fleet operator may tamper with or move electric mobility devices in its own fleet. Any person found tampering with any bicycle, electric mobility device, or personal mobility device may be required to pay a fine of \$100.”.

(4) Add a new subsection 1200.11 to read as follows:

“1200.11 No person shall travel above the maximum speed of 10 miles per hour while operating a personal mobility device and 15 miles per hour while operating an electric scooter. Any person traveling faster than the maximum speed of 10 miles per hour on a personal mobility device and 15 miles per hour on an electric scooter may be required to pay a fine.”.

(c) Section 1201 is amended as follows:

(1) Subsection 1201.2 is amended to read as follows:

“1201.2 A person shall operate a bicycle, sidewalk bicycle, personal mobility device, or electric mobility device in a safe and non-hazardous manner so as not to endanger himself or herself or any other person.”.

(2) Subsections 1201.9 is amended to read as follows:

“1201.9 There shall be no prohibition against any person riding a bicycle, electric mobility device, or personal mobility device upon a sidewalk within the District, so long as the

rider does not create a hazard; provided, that no person shall ride a bicycle or electric mobility device or operate a personal mobility device upon a sidewalk within the Central Business District except on those sidewalks expressly designated by Order of the Mayor, nor shall any person ride a bicycle upon a sidewalk in any area outside of the Central Business District if it is expressly prohibited by Order of the Mayor and appropriate signs to such effect are posted.

(3) Subsection 1201.10 is amended by striking the phrase “bicycle or personal mobility device” and inserting the phrase “bicycle, personal mobility device, or electric mobility device” in its place.

(4) Subsections 1201.11 and 1201.12 are amended to read as follows:

"1201.11 A person propelling a bicycle or electric mobility device or operating a personal mobility device upon and along a sidewalk or while crossing a roadway in a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances, except that the bicyclist, personal mobility device operator, or electric mobility device operator must yield to pedestrians on the sidewalk or crosswalk.

"1201.12 The operator of a bicycle, personal mobility device, or electric mobility device emerging from, or entering an alley, driveway, or building, shall upon approaching a sidewalk, or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway, to the extent necessary to safely enter the flow of traffic."

(b) Chapter 40 Subsection 4005.1 is amended by striking the phrase “buses, carpools, taxicabs, bicycles, motorized bikes, motorcycles, personal mobility devices” and inserting the

phrase “buses, carpools, taxicabs, ride-hailing vehicles, bicycles, motorized bikes, motorcycles, personal mobility devices, electric mobility devices” in its place.

(c) Chapter 99 is amended by striking the phrase “electric personal assistive mobility device” and insert the phrase "personal mobility device, electric mobility device" in its place.

TITLE III. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE

Sec. 301. Applicability

(a) This act shall apply upon the date of inclusion if its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council for certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 302. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 304. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

481 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
482 Columbia Register.

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