



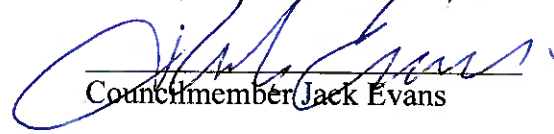
Councilmember Charles Allen



Councilmember Mary M. Cheh



Councilmember Brianne K. Nadeau



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.

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

49 TITLE I. ELECTRIC MOBILITY DEVICES

50 Sec. 101. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
51 1119; D.C. Official Code § 50-2201.01 *passim*), is amended as follows:

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

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

54 “(6A)(A) “Electric scooter” means a device weighing less than 100 pounds that:

55 “(i) Has handlebars and an electric motor;

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

57 and

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

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

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

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

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

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

73 “(A) A battery-operated wheelchair; or

74 “(B) An electric mobility device.”.

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

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

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

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

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

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

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

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

91 (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:

115 “(1) Terms and conditions for an electric mobility device permit;
116 “(2) An application process for obtaining an electric mobility device permit;
117 “(3) A process by which a permit may be revoked if the permitted operator does
118 not comply with the terms and conditions of the electric mobility device permit or this subtitle.
119 “(4) The term for which a permit lasts before requiring renewal;
120 “(5) The penalties and fines associated with the failure to comply with this
121 subtitle, with excessive complaints made against a single permitted operator, and with failure to
122 comply with the rules issued by the Director;
123 “(6) The amount of the performance bond permitted operators must provide to
124 operate in the District; and
125 “(7) That electric mobility devices are subject to the same safe operation
126 requirements as bicycles in section 1201 of Title 18 of the District of Columbia Municipal
127 Regulations (18 DCMR § 1201).”.

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

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

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

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

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

136 “(2) The Director may issue an electric mobility device permit to an electric mobility
137 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

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

164 “(B) The Director shall not disclose to the public unaggregated data provided by
165 an electric mobility device operator under this paragraph, including in response to a request
166 pursuant to Title II of the District of Columbia Administrative Procedure Act, effective March
167 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

168 “(2) If a permitted operator determines that a breach of its data system has occurred and
169 that the breach has placed user personal information at risk, the permitted operator must, within
170 48 hours of that determination, notify the Department and all current and prior users of its
171 electric mobility devices of the breach who may be affected by it and the likely consequences of
172 it.

173 “(e)(1) A permitted operator shall:

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

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

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

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

187 “(E) Cease the operations of its electric scooters between the hours of
188 10:00p.m. and 4:00a.m.;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

229 “(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.

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

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

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

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

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

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

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

265 “(a) By July 1, 2020, the Department of Transportation (“DDOT”) shall establish a pilot
266 program to create one or more painted parking spaces per BID, as that term is defined in section
267 3(7) of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-
268 134; D.C. Official Code § 2-1215.02(7)) (“BID Act”), on sidewalks or on streets for the
269 exclusive use of electric scooters.

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

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

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

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

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

279 “(d) DDOT may accept funds from a BID corporation, established in accordance with the
280 Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11- 134; D.C.
281 Official Code § 2–1215.01 *et seq.*), and donated pursuant to section 115 of Title III of Division C
282 of the Consolidated Appropriations Resolution, 2003, approved February 20, 2003 (117 Stat.
283 123; D.C. Official Code § 1-329.01); provided, that such funds be expended for the purpose of
284 painted parking spaces for electric scooters in that BID corporation’s business improvement
285 district.

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

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

291 TITLE II. CONFORMING AMENDMENTS

292 Sec. 201. Section 3(17) of the Compulsory/No Fault Motor Vehicle Insurance Act of
293 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2402(17)), is
294 amended to read as follows:

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

298 for drawing vehicles in fields, road rollers, vehicles propelled only upon rails and tracks,
299 personal mobility devices, as defined by section 2(m) of the District of Columbia Traffic Act,
300 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric
301 mobility devices, as defined by section 2 paragraph 23 of the District of Columbia Traffic Act,
302 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a
303 battery-operated wheelchair when operated by a person with a disability."

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

308 "(6) "Motor vehicle" means any automobile, mobile home, motorcycle, truck,
309 truck tractor, trailer, semi-trailer, or bus. The term "motor vehicle" shall not include any boat
310 trailer, any vehicle propelled or drawn exclusively by muscular power, any vehicle designed to
311 run only on rails or tracks, a personal mobility device, as defined by section 2(m) of the District
312 of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-
313 2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23 of the District of
314 Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-
315 2201.02(23)), or a battery-operated wheelchair when operated by a person with a disability."

316 Sec. 203. Section 8 of An Act To provide for the annual inspection of all motor vehicles
317 in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-
318 1108), is amended to read as follows:

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

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

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

330 "(9) "Motor vehicle" means all vehicles propelled by internal-combustion
331 engines, electricity, or steam. The term "motor vehicle" shall not include traction engines, road
332 rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as defined by
333 section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
334 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section
335 2(23) of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C.
336 Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person
337 with a disability."

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

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

344 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C.
345 Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2 paragraph 23
346 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat. 1119; D.C.
347 Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by a person
348 with a disability.".

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

352 "(a) The term "motor vehicle" means any vehicle propelled by internal-
353 combustion engine, electricity, or steam, including any non-operational vehicle that is being
354 restored or repaired. The term "motor vehicle" shall not include road rollers, farm tractors,
355 vehicles propelled only upon stationary rails or tracks, personal mobility devices, as defined by
356 section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat.
357 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by section 2
358 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925 (43 Stat.
359 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when operated by
360 a person with a disability.".

361 Sec. 207. Section 2(b) of the Rental Vehicle Tax Reform Act of 1978, effective March 6,
362 1979 (D.C. Law 2-157; D.C. Official Code § 50-1505.01(2)), is amended to read as follows:

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

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

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

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

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

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

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

393 Sec. 210. Section 2(5) of the District of Columbia Motor Vehicle Parking Facility Act of
394 1942, approved February 16, 1942 (56 Stat. 91; D.C. Official Code § 50-2602(5)), is amended to
395 read as follows:

396 "(5) The term "motor vehicle" means any device propelled by an internal
397 combustion engine, electricity, or steam. The term "motor vehicle" shall not include traction
398 engines, road rollers, vehicles propelled only upon rails or tracks, personal mobility devices, as
399 defined by section 2(m) of the District of Columbia Traffic Act, 1925, approved March 3, 1925
400 (43 Stat. 1119; D.C. Official Code § 50-2201.02(12)), Electric mobility devices, as defined by
401 section 2 paragraph 23 of the District of Columbia Traffic Act, 1925 approved March 3, 1925
402 (43 Stat. 1119; D.C. Official Code § 50-2201.02(23)), or a battery-operated wheelchair when
403 operated by a person with a disability."

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

406 (a) The heading is amended to read as follows:

407 § 18-1200. Bicycles, Motorized Bicycles, Personal Mobility Devices, and Electric Mobility
408 Devices: General Provisions".

409 (b) Section 1200 is amended as follows:

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

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

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

417 “1200.8 No person, except for impoundment by the Mayor, shall tamper with any
418 bicycle, electric mobility device, or personal mobility device that has been locked, placed in a
419 rack, or otherwise secured; provided, that an electric mobility fleet operator may tamper with or
420 move electric mobility devices in its own fleet. Any person found tampering with any bicycle,
421 electric mobility device, or personal mobility device may be required to pay a fine of \$100.”.

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

423 “1200.11 No person shall travel above the maximum speed of 10 miles
424 per hour while operating a personal mobility device and 15 miles per hour while operating an
425 electric scooter. Any person traveling faster than the maximum speed of 10 miles per hour on a
426 personal mobility device and 15 miles per hour on an electric scooter may be required to pay a
427 fine.”.

428 (c) Section 1201 is amended as follows:

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

430 “1201.2 A person shall operate a bicycle, sidewalk bicycle, personal mobility device, or
431 electric mobility device in a safe and non-hazardous manner so as not to endanger himself or
432 herself or any other person.”.

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

434 “1201.9 There shall be no prohibition against any person riding a bicycle, electric
435 mobility device, or personal mobility device upon a sidewalk within the District, so long as the

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

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

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

445 "1201.11 A person propelling a bicycle or electric mobility device or operating a personal
446 mobility device upon and along a sidewalk or while crossing a roadway in a crosswalk shall have
447 all the rights and duties applicable to a pedestrian under the same circumstances, except that the
448 bicyclist, personal mobility device operator, or electric mobility device operator must yield to
449 pedestrians on the sidewalk or crosswalk.

450 "1201.12 The operator of a bicycle, personal mobility device, or electric mobility device
451 emerging from, or entering an alley, driveway, or building, shall upon approaching a sidewalk,
452 or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians
453 approaching on said sidewalk, and upon entering the roadway shall yield the right-of-way to all
454 vehicles approaching on said roadway, to the extent necessary to safely enter the flow of
455 traffic."

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

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

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

462 TITLE III. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE

463 Sec. 301. Applicability

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

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

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

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

473 Sec. 302. Fiscal impact statement.

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

477 Sec. 304. Effective date.

478 This act shall take effect following approval by the Mayor (or in the event of veto by the
479 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
480 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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