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**Subject: Regulating Electric Scooters**

**To: Members of the Maryland General Assembly
From: Members of the National Federation of the Blind of Maryland**

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**THE PROBLEM**

Electric scooters (e-scooters) are a new form of transportation that has become very popular in cities in Maryland and throughout the nation. Currently, there are no specific laws in Maryland concerning e-scooters. The recent proliferation of e-scooters has raised public concerns that require laws to ensure continued pedestrian safety. Press reports indicate that doctors are treating more users and pedestrians for broken bones, dislocated knees, and other injuries due to e-scooters. Pedestrians, especially children, the elderly and the blind, have difficulty getting out of the way of these scooters because they are too quiet.

**PROPOSED ACTION**

The Maryland General Assembly should enact legislation to regulate e-scooters to ensure continued pedestrian safety. This legislation should:

* Include the definition of e-scooter in the transportation article;
* Specify where users may ride and park e-scooters;
* Require each e-scooter to be nonvisually marked with identification and contact information, to permit the general public to communicate with e-scooter companies;
* Require e-scooter companies to make their websites and apps nonvisually accessible so that blind pedestrians can inform them about e-scooter problems;
* Enact a minimum sound standard for e-scooters in operation consistent with federal law for the protection of all pedestrians including those who are blind.

**BACKGROUND**

E-scooters are an environmentally safe and inexpensive alternative form of transportation that are readily available to the public. These devices have two wheels, handlebars, and a floorboard to stand on while riding. They are powered by an electric motor, are self-locking and are not connected to a docking station. E-scooters are usually rented from ride-share services. Like other ride-share services, such as Uber and Lyft, e-scooter ride-share services require a user to simply download an app on his smartphone, open a map that locates the nearest e-scooter, accept, and pay a fee for the ride.

Pedestrians, including the elderly, children, individuals using wheelchairs and mobility aids, and the blind, are experiencing significant disruption to their ability to independently and freely travel through their neighborhoods. This is due to the substantial increase of e-scooters and lack of regulation associated with their use.

E-scooters are prevalent in a variety of Maryland areas, including Montgomery County, Prince George’s County, and Baltimore City. The University of Maryland, College Park plans to begin an electric scooter program shortly as well. Other Maryland cities and counties are exploring the feasibility of incorporating e-scooter programs as a transportation option.

E-scooters, while inexpensive and environmentally safe, are nonetheless causing challenges for pedestrians due to a lack of clear-cut regulations. E-scooter users operate these machines on sidewalks, often weaving in and out of pedestrian traffic. This causes all pedestrians, but particularly the elderly, children, those with mobility challenges, and the blind to have to swerve quickly and walk defensively to avoid getting hurt. Though many e-scooter companies state that riding on sidewalks is not permitted, there is no specific law prohibiting this and no mechanism to enforce this, rendering this a preference and not a prohibition.

Moreover, once a user finishes a ride, she may leave the scooter anywhere. This creates a hazard for all pedestrians, particularly the elderly, children, individuals with mobility challenges, and the blind. E-scooters are often left at or near curb cuts or obstructing disability entrances/ramps. They are left in front of the stoops and entrances to private homes and businesses. They are left on sidewalks near tree wells, resulting in the obstruction of already narrow sidewalks. They are left in front of bus stops and other public transportation hubs, hindering the ability of riders to safely access buses, trains, and subways. They are left in the middle of sidewalks so that no one can get around them without having to walk into the street.

In order to notify e-scooter companies of the inappropriate placement or usage of these devices, users and the public are instructed to contact the appropriate e-scooter company, provide the offending scooter number, and make a report via the company’s telephone number, website, or smart phone application. However, the e-scooters do not have a nonvisual means of identifying their manufacturer, operating company contact information, or e-scooter number, resulting in the blind being precluded from the ability to make such reports. Moreover, the websites and apps are inaccessible, further precluding the blind from being able to report misuse of e-scooters.

E-scooters make little or no sound when in operation because they run on electric power. This is problematic for pedestrians who rely on sound to safely and independently travel. E-scooters should be required to maintain a minimum level of sound, similar to hybrid and electric automobiles, as mandated by federal law.

**ADVANTAGES OF REGULATING E-SCOOTERS**

The proposed legislation will:

* Ensure that the law is updated to include a clear definition of e-scooters, an emerging and prevalent mode of transportation, which will eliminate confusion about how to categorize these devices;
* Establish a state-wide standard to be uniformly applied related to where users may ride e-scooters, including prohibiting riding on sidewalks, in order to ensure the safety and continued independent travel of pedestrians. These standards will provide clarity to users, the public, and law enforcement personnel, where none exists;
* Establish a state-wide standard to be uniformly applied related to where users may park e-scooters in order to ensure the safety and continued independent travel of pedestrians; These standards must be specific and non-subjective. Creating such standards will ensure that pedestrians do not have to climb over, squeeze by, bump into, knock over, or be forced to relocate e-scooters. This is particularly important for those without the physical means to do so;
* Ensure that the blind and others may independently identify the e-scooter model, e-scooter company contact information, and e-scooter number located on the device in a nonvisual manner in order to communicate with e-scooter companies when devices have been improperly used. Such tactile markings are inexpensive and will ensure that the blind have access to the same information about e-scooters as sighted Marylanders have;
* Require that e-scooter company apps and websites be nonvisually accessible in order for the blind and others to communicate with e-scooter companies when devices have been improperly used. Nonvisual access makes the website and apps more user friendly for all;
* Require a minimum sound standard for e-scooters so that pedestrians can hear them approaching and continue to travel safely and independently.

**CONCLUSION**

E-scooters are a fairly new form of transportation, but they are flooding the state. Maryland needs state-wide, uniform legislation to regulate e-scooters. The time to enact real and meaningful legislation is now.

The proposed legislation is necessary to ensure that pedestrians are able to continue to travel safely and independently. The best way to protect pedestrians is to require a minimum sound standard when the scooter is in operation. This legislation must define e-scooters and determine where users should operate and park them. This law must ensure that all members of the public, including the blind, have equal access to information in order to communicate with the company and law enforcement. With these provisions in place, all members of society, users and the public, can come to appreciate e-scooters.