

Stricken language would be deleted from and underlined language would be added to present law.
Act 1015 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H4/5/19
A Bill

HOUSE BILL 1619

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

For An Act To Be Entitled

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

Subtitle

TO CREATE THE ELECTRIC MOTORIZED SCOOTER
ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 27, Chapter 51, is amended to add an additional subchapter to read as follows:

Subchapter 19 – Electric Motorized Scooter Act

27-51-1901. Title.

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

27-51-1902. Definitions.

As used in this subchapter:

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

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

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

(iii) Has a handlebar;

(iv) Is equipped with a floorboard that can be used

to stand on while riding the electric motorized scooter;



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

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

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

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

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

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

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

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

An electric motorized scooter shall not be operated:

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

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

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

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

(2) The alphanumeric identification number shall be:

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

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

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

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

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

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

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

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

(1) Safe operation of electric motorized scooters; and

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

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

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

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

(3)(A) Considered personally identifiable information.

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

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

/s/G. Hodges

APPROVED: 4/15/19