

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1982

By: Representative G. Hodges

For An Act To Be Entitled

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

Subtitle

TO ESTABLISH 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, motor-driven cycle, a motorized bicycle under § 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 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.