



Testimony to the Senate Transportation, Commerce and Workforce Committee
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Chairman McColley, Vice-Chair Uecker, Ranking-Member Antonio, ladies and gentlemen of the Senate Transportation, Commerce and Workforce Committee, thank you for giving me the opportunity to speak concerning HB 62. The Ohio Bicycle Federation is very supportive of several aspects of the transportation budget, including the gas tax increase to help fund maintenance and improvements to our roadways, and the increased funding for public transit, which provides Ohioans (particularly residents with disabilities) with convenient alternatives to private motor vehicles.

We are here today to address the recent amendment to HB62 which includes regulations on electric scooters. We are pleased that the legislature is taking up this effort, because of the proliferation of rental companies that have deployed e-scooters in our Ohio cities and the need to regulate them. The Ohio Bicycle Federation has had only a short time to study these regulations. We have queried our members and other national organizations on social media and asked our neighbors through sites such as Next Door. We would like to share our perspective and that of other Ohioans who have weighed in on this.

We are supportive of the following sections of the proposed Ohio Revised Code:

- **4501.01, 4509.01 and 4511.01** which define low-power electric scooters which may attain speeds of no more than 20 mph when propelled by the electric motor. We are concerned that the exclusion of e-scooters from the definition of “vehicle” will cause confusion on which traffic laws apply to e-scooters.
- **4511.68** which permits e-scooters to be parked on sidewalks as long as they do not impede pedestrian traffic. This has been an issue in Columbus and we have worked with e-scooter rental operators to educate users and to require users to photograph their scooters to ensure they are parked appropriately.
- **4511.514(A)(1)** which permits e-scooters to be operated on public streets, highways, sidewalks, paths and portions of roadways set aside for bicycles. We would also support cities imposing ordinances that prohibit e-scooters from either commercial district or city-wide sidewalks.
- **4511.514(A)(2)** which requires e-scooter operators to obey all traffic laws that “by their nature could apply” to e-scooters. We would prefer, however, that the law be more concise by stating that e-scooter operators “obey all traffic rules applicable to vehicles”, which is the wording used for bicycle operation. An example of a traffic rule which may be misinterpreted with the proposed law is whether e-scooter operators should ride with traffic (as vehicles) or against traffic (as pedestrians).
- **4511.514(B)(1, 2)** which require e-scooter operators to yield to pedestrians and announce when passing.
- **4511.514(B)(3)(a,b)** which impose light requirements at night.

We are opposed to the following sections of the proposed Ohio Revised Code and request that they be removed:

- **4511.514(B)(3)(c)** no person under age 16 may operate an e-scooter. Many children are currently using e-scooters in residential neighborhoods. Will children currently owning and operating these e-scooters lose that right? If this age restriction is imposed, then these children who are involved in traffic crashes will be inherently at fault, even if they are following all traffic laws and are hit by motorists who fail to yield. I have asked parents through Next Door about this law, and all of them agreed that parents should be responsible for deciding when their children are skilled and educated properly to operate e-scooters on sidewalks or in the roadway. E-scooter rental operators require persons who rent their scooters to have drivers licenses and be 18 years of age, so we will not see children renting e-scooters who are unfamiliar with their operation. Many cities hold parents liable if their children violate traffic laws and we would prefer this method of legislation.
- **4511.514(B)(3)(d)** requiring e-scooters to be operated no more than 15 mph. The definition of e-scooter includes the maximum speed limit of 20 mph. Speed limits should be defined by existing speed limit laws based on roadway type and posted speed limit signs. Cities and parks administrators may impose ordinances prohibiting e-scooters from either commercial district or city-wide sidewalks and may post speed limit signs on paths. New revised code could be written to require e-scooter manufacturers to ensure that the scooter motors cannot exceed 20 mph.
- **4511.514(E)(1)** imposing graduated penalties on e-scooter violations. Other traffic laws and laws for bicycles and electric bicycles do not have graduated penalties. Many cities impound bicycles if the bicyclist violates traffic laws. We would prefer this method of deterrence for e-scooter violations.
- **4511.514(E)(2)** defining e-scooter violations as strict liability offenses. Strict liability means that a violator does not have to be culpable (i.e. show intent) to be guilty of the offense. The other traffic laws that are strict liability offenses are laws related to licensing and license suspensions, towing operator laws and laws for electric bicycles. We opposed the strict liability offense for e-bikes and also oppose this for e-scooters. Why do courts have to prove intent when a motor vehicle driver kills a pedestrian or bicyclist, but an e-bike or e-scooter operator is at fault regardless of intent?

We ask that the Senate Transportation committee will consider our concerns about the e-scooter revised code and make appropriate amendments.