



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

<b>2019 Assembly Bill 159</b>	<b>Assembly Amendment 2</b>
<i>Memo published:</i> May 24, 2019	<i>Contact:</i> Rachel E. Snyder, Staff Attorney

### **2019 ASSEMBLY BILL 159**

2019 Assembly Bill 159 defines, authorizes, and creates a framework for the operation of electric scooters on roadways, sidewalks, bicycle lanes, and bicycle ways. Under the bill, an electric scooter is a device that:

- Weighs less than 100 pounds.
- Has handlebars and an electric motor.
- Is powered solely by the electric motor and human power.
- Has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by the motor.

As defined, the term “electric scooter” does not include an electric personal assistive mobility device (EPAMD), motorcycle, motor bicycle, or moped.

In general, the bill applies the same rules of the road to electric scooters as are applied to EPAMDs under current law. Specifically, the bill provides that an electric scooter may not be operated at a speed in excess of 15 miles per hour and may not be equipped with a siren or compression whistle. An electric scooter must comply with front and rear lighting requirements in order to be operated during hours of darkness and must be equipped with a brake that is in good working condition.

Under the bill, cities, villages, towns, and counties (“local governments”) may regulate the rental and operation of electric scooters in a manner consistent with state law and with the regulation of bicycles, including by restricting or prohibiting operation on sidewalks or streets

with speed limits in excess of 25 miles per hour or by restricting or prohibiting the short-term commercial rental of electric scooters to the general public.

## **ASSEMBLY AMENDMENT 2**

Assembly Amendment 2 excludes “electric bicycles” from the definition of electric scooter. The amendment also replaces the provision in the bill regarding local government authority to regulate electric scooters. Under the amendment, a local government may regulate the rental and operation of electric scooters, but must do so in the same way that it regulates bicycles, except as follows:

- A local government may restrict or prohibit:
  - The operation of scooters on roads with speeds in excess of 25 miles per hour.
  - The operation of scooters on sidewalks and bicycle ways.
  - The short term commercial rental of scooters to the general public.
- A local government may establish requirements for and limitations on the parking of scooters on roadways, sidewalks, bicycle lanes, and bicycle ways.

## **BILL HISTORY**

Assembly Amendment 2 was offered by Representative Kuglitsch on May 14, 2019. On May 22, 2019, the Assembly Committee on Local Government recommended adoption of the amendment on a vote of Ayes, 8; Noes, 0; and passage of Assembly Bill 159, as amended, on a vote of Ayes, 6; Noes, 2.

RES:jal