

DALE KOOYENGA
WISCONSIN STATE SENATOR

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May 21, 2019

TO: Members of the Senate Committee on Transportation, Veterans and Military Affairs
FR: Senator Dale Kooyenga
RE: Senate Bill 152

Thank you for holding a public hearing on Senate Bill 152, which would authorize the use of electric scooters.

The expansion of shared electric scooters has recently taken off under the micro-mobility revolution. Electric scooter rentals can serve as a more convenient and affordable transportation option for individuals looking to navigate areas without having to worry about traffic or parking. But, under current law Wisconsin does not govern electric scooters.

Under this bill, the use of electric scooters would become legal on Wisconsin roads and a local municipality can pass an ordinance allowing businesses to offer rentable scooters to the public. The local municipality will then have the ability to dictate specific requirements, such as parking or sidewalk limitations, necessary to operate in that jurisdiction. By providing more control to the local government, each municipality can make the decision that best reflects the interests of their community.

Specifically, the bill defines an electric scooter while differentiating it from an electric bike, motorcycle, moped, or an electric personal assistive mobility device. Additionally, this bill authorizes electric scooters to be used on certain highways subject to the same requirements that apply under current law to electric personal assistive mobility devices.

Senate Bill 152 provides clarity for a rapidly growing industry and empowers our local governments to make the decisions that best fit their community while attracting startup companies to invest in Wisconsin.

Thank you again for hearing SB 152 and I respectfully ask for your support.

MIKE KUGLITSCH

STATE REPRESENTATIVE • 84TH ASSEMBLY DISTRICT

DATE: May 21, 2019
RE: **Testimony for 2019 Senate Bill 152**
TO: Senate Committee on Transportation, Veterans and Military Affairs
FROM: Representative Mike Kuglitsch
SUBJECT: The Operation of Electric Scooters

Good morning Chairman Petrowski and Members of the Committee,

Thank you for the opportunity to testify today regarding the rental and operation of electric scooters on local roads.

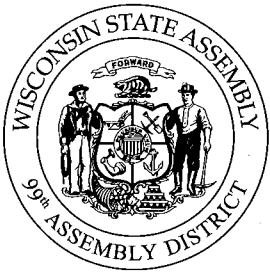
The rise of mobility as a service has spawned an evolution in rentable electric scooters in America and companies like Lime, Jump and Bird provide an inexpensive and readily available product in many metropolitan markets. Although electric scooters have been available to the American public for many years, the recent trend involves public rentals in urban areas through an individual's cell phone.

The scooter industry is active in more than 100 markets and wants to include Wisconsin. Milwaukee and Madison are poised to see the first scooter rentals in Wisconsin if Senate Bill 152 is approved by the Legislature and signed by the Governor.

Senate Bill 152 sets the guidelines for scooter rentals in Wisconsin and requires local communities to "opt-in" before scooters can be locally rented. In addition, the local government determines whether scooters are appropriate to operate on sidewalks and bike lanes. Scooters are treated similar to bicycles in the bill draft, which ensures scooters follow the same rules of the road as bicycles.

SB 152 sets the speed limit of scooters to 15mph. While the definition includes a capacity of 20mph, 15mph is the appropriate safe speed agreed upon by manufacturers. SB 152 also clarifies an electric scooter is not a motor vehicle and does not need to be titled or registered at the state level.

Thank you again for the opportunity to support SB 152 and I believe it is our job as legislators to allow innovations like scooters and other emerging technologies to prosper and to be welcome in our state.



CINDI DUCHOW

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Senate Committee on Transportation, Veterans and Military Affairs Tuesday, May 21st, 2019

Thank you Chairman Petrowski and fellow committee members for holding a hearing on Senate Bill 152 relating to the operation of electric foot scooters in Wisconsin and thank you for allowing me to testify in favor of this legislation today.

Recently, metropolitan cities across the United States have seen an influx of rentable electric scooters entering their communities. Currently, these electric foot scooters are not regulated in the State of Wisconsin. Senate Bill 152 provides certainty and clarity for local communities and the fast growing electric scooter industry by defining what an electric scooter is and by ensuring its regulative authority remains at the municipal level.

Under Senate Bill 152, local municipalities have the power to develop city ordinances to regulate the use of rentable electric scooters, including speed restrictions, parking parameters, and sidewalk limitations. This bill also allows municipalities the freedom to outright ban rentable electric scooters if they choose to. As a former town supervisor, I support local control and oppose a one-size-fits all mentality. I recognize each city has unique factors that warrant careful consideration and that individual municipalities are in the best position to determine how these companies operate in their cities. Therefore, this bill allows local officials to make the important decisions about what will work best for their community.

Specifically, Senate Bill 152 clarifies state statutes by defining an electric scooter as “a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power, and has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by the electric motor. The bill provides that “electric scooter” does not include an electric personal assistive mobility device (EPAMD), motorcycle, motor bicycle, or moped.

This proposal recognizes local control while at the same time provides a framework for businesses who wish to enter the scooter sharing business in Wisconsin. Again, thank you for hearing this bill. I am happy to answer any questions you have about the proposed legislation.



Department of Administration
Intergovernmental Relations Division

Tom Barrett
Mayor

Sharon Robinson
Director of Administration

Kimberly Montgomery
Director of Intergovernmental Relations

City of Milwaukee Testimony on SB 152
Senate Committee on Transportation, Veterans and Military Affairs
May 21, 2019

Thank you to Chairman Petrowski and committee members for holding the hearing today. The City of Milwaukee supports SB 152 and thanks the authors, Rep. Kuglitsch and Sen. Kooyenga, and all co-sponsors for their support. We'd also like to thank the industry representatives who worked with us to address our concerns. The bill before you is a result of that collaboration. We are in support of the bill because it provides much needed clarity in order for us to manage the right balance of safety and access of the right of way for all users.

We are seeking this clarity because as you may recall last June a dockless e-scooter company placed approximately 100 motorized scooters in the City of Milwaukee. Immediately, citizens called to complain to aldermen, Department of Public Works staff, and the police questioning the legality of these unregistered motor vehicles on our streets and sidewalks. Currently, motorized vehicles under Wisconsin law are required to be registered unless specifically exempted by statute as is done for Segways and personal delivery devices. Also under Wisconsin law, bicycles are banned from sidewalks unless municipalities allow them so it was logical for citizens and City officials to question if electric scooters could be used similarly. Our City Attorney determined that motorized scooters were unregistered motor vehicles and under Wisconsin law could not be legally operated on our streets or sidewalks. At that time, we called for the company to cease operations. Concurrently, the City also passed a resolution on July 31, 2018 to seek introduction and passage of state legislation to allow the operation of motorized scooters upon the highway. We support this legislation because we want the scooters to operate in the City of Milwaukee and provide another transportation option for our residents and visitors, but we also want them to be legal, and to follow the rules of the road and the proper use of the right of way.

From our perspective, the essential provision in the bill allows the governing body of any municipality to pass an ordinance to regulate the rental and operation of electric scooters. The ability to regulate scooters locally is critical to the success and public acceptance of this new transportation option going forward. We intend to initiate a pilot study in coordination with scooter operators to allow the City of Milwaukee, its residents, and dockless scooter operators an opportunity to see what works and what does not work in a large city environment, and make adjustments and improvements easily. This flexibility and local authority to regulate will help

mitigate any concerns or occurrences of companies launching unexpectedly, scooters causing unintended challenges for pedestrians, or disorder and disruption within the public right of way.

This approach of initiating a pilot study to understand scooter operations and aid in developing more permanent regulatory language is considered best-practice and common throughout the United States. Cities must have flexibility so policies can evolve and adapt as new mobility systems are introduced. Portland, Chicago, Minneapolis and Denver are currently conducting such a pilot study. Austin and Charlotte, North Carolina have completed studies and are implementing permanent rules. We will monitor the experiences of these cities as well as our own in developing a more permanent regulatory framework.

The City of Milwaukee supports the proposed bill as it allows us to study and understand the potential benefits that e-scooters may provide, including improving access to low-cost transportation options, reducing single-occupancy vehicle use, and serving as a first/last-mile solution to residents and visitors throughout the City.

We hope you agree and ask you to support SB 152. Thank you.

For more information please contact:

Brenda Wood, Intergovernmental Policy Manager, bwood@milwaukee.gov, 414-286-2371



Senate Committee on Transportation, Veterans and Military Affairs

May 21, 2019

Testimony in Support of SB 152
Regulation of Electric Scooters
Bird Rides, Inc.

Chairman Petrowski, Vice Chair Marklein, Members of the Committee—

My name is Cameron Kilberg. I am a Senior Manager of Government Partnerships for Bird Rides, Inc. Bird Rides is the founder of the shared scooter concept and we are now a global operator. We work with cities and states throughout the U.S. to ensure a successful program that works for cities, states, and their citizens.

I am submitting this testimony today to support SB 152 that will define and categorize an electric scooter in state law. This is important and will ensure that there is a state wide legal description of the device so that localities may now regulate scooters within their borders.

This bill ensures electric scooters are defined, sets the rules of the road for riding such a device, and most importantly confirms that electric scooters are not a motor vehicle, ensuring the device is treated as such. Electric scooters are much more akin to bicycles, which SB 152 addresses by certifying localities may continue to regulate scooters as they do bicycles.

We support this bill and the work its sponsors, this committee, and the legislature as a whole have done to date. I, and Bird, look forward to continuing to work with you to provide first-mile, last-mile transportation solutions to the citizens of Wisconsin.

Thank you and Enjoy the Ride.

Sincerely,

Cameron Kilberg
Sr. Manager of Government Partnerships
Bird Rides Inc.

Thank you members of the Committee for allowing me the opportunity to write in support of bill SB 152.

Lime is founded on a simple idea that all communities deserve access to smart, affordable mobility. Through the equitable distribution of shared scooters and bikes, we aim to reduce dependence on personal automobiles for short distance transportation and leave future generations with a cleaner, healthier planet. Micromobility is a rapidly growing market that is here to stay, with millions of riders using scooters as a part of daily routines and Lime is leading this space as the favorite first and last mile solution for riders to their work commute, social event or to get around their communities. More than 15 million sign-ups and over 50 million trips have been taken on a Lime vehicle, a 5.5x increase in trips in the last seven months alone. Lime has operations in over a hundred cities, towns, company campuses, universities and communities throughout 20+ countries across five continents. Our user base reflects the move to Lime becoming a part of people's daily routine. Riders across a range of ages, geographies, ethnicities and socio-economic backgrounds are using Lime every day. The median age of our riders is 32 with more than 20 percent of our riders over 40. Of our riders, 34 percent report an annual income of less than \$50,000, making Lime the choice for easy and affordable accessibility.

Riding a Lime vehicle should be a great experience for users and the community. To make sure that happens, safety must be a critical priority. This includes everything from how to use Lime bikes and scooters, to traffic rules, road etiquette, and proper parking to working with state legislators on appropriate vehicle classification to ensure they best fit within transportation ecosystems. Our experience across the US and abroad has taught us that with robust community education, safety initiatives, and the right policies in place, we can ensure Lime is a positive addition to any city. Thirty states and DC have categories for ebikes, but because a scooter does not meet the physical description of a bicycle – cities are sometimes faced with meeting requirements for licensure and registration, or are forced to bar their use in bike lanes or on multi-purpose trails and in Wisconsin because of outdated laws — scooters are considered a motorized vehicle and unable to operate on public roadways. We believe a refinement of bikelaws to include scooters would create greater clarification and thus benefit cities and their riders. The bill your Committee is reviewing today is a straightforward classification bill that does just that, and will allow us to work with local regulators to best fit within their transportation ecosystem. We support this bill and appreciate the leadership of Rep. Kuglitsch for introducing this legislation.

Thank you,

Nico Probst
Director of Midwest Government Relations
Lime