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H.B. 295
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Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Hoops

Margaret E. Marcy, Attorney

SUMMARY

- Permits the operation of a low-speed electric scooter on public streets, highways, sidewalks, shared-use paths, and bicycle-only areas, but authorizes certain local authorities to regulate or prohibit such scooters in their jurisdiction.
- States that low-speed electric scooters are not vehicles and, as such, exempts them from state registration, title, insurance, and certain traffic and equipment law requirements.
- Requires a low-speed electric scooter and its operator to generally follow the traffic law requirements that by their nature apply to them.
- Establishes specific requirements and prohibitions related to the operation of low-speed electric scooters.
- Generally makes the failure to comply with the low-speed electric scooter law a minor misdemeanor and a predicate motor vehicle offense.

DETAILED ANALYSIS

Low-speed electric scooters

The bill establishes requirements for the operation of a low-speed electric scooter in Ohio. A low-speed electric scooter is a device that weighs less than 100 pounds, has handlebars, and is propelled by an electric motor or human power, and can go up to 20 mph on a paved level surface.¹ The bill exempts low-speed electric scooters from the definition of “vehicle”; as

¹ R.C. 4501.01(FFF) and 4511.01(WWW).

such, low-speed electric scooters are exempt from state registration, title, insurance, and certain traffic and equipment law requirements.²

The bill generally authorizes the operation of a low-speed electric scooter on public streets, highways, sidewalks, shared-use paths, and any portions of roads set aside for the exclusive use of bicycles.³ However, certain local authorities (a municipal corporation, county, township, metropolitan park district, township park district, or recreation district) are authorized to regulate or prohibit the operation of low-speed electric scooters in their jurisdictions. Thus, if a city passes an ordinance prohibiting low-speed electric scooters on city sidewalks, that ordinance overrides the general state authorization permitting the low-speed electric scooters on sidewalks.⁴

Requirements

The bill requires a low-speed electric scooter operator to generally follow the traffic law requirements that by their nature could apply to such devices. Ohio law has a similar requirement for personal assistive mobility devices (i.e., Segways).⁵ The bill also applies the following specific requirements and prohibitions to the operation of low-speed electric scooters:

1. An operator must yield the right-of-way to all pedestrians;
2. An operator must give an audible signal before overtaking or passing a pedestrian;
3. An operator may not operate a low-speed electric scooter at night unless accompanied by proper lighting gear (a lamp emitting white light visible up to 500 feet to the front and a red reflector facing the rear visible up to 600 feet when low beams are shined on it);
4. An operator may not operate a low-speed electric scooter at more than 15 mph; and
5. An operator must be 16 years or older.⁶

Additionally, while a low-speed electric scooter may be parked or left on a sidewalk, the scooter must not impede the normal flow of pedestrian traffic when so parked.⁷

Penalties

Under the bill, a violation of the above requirements is a minor misdemeanor. If within one year of the offense the offender previously has been convicted of or pleaded guilty to one

² R.C. 4501.01(A), 4509.01(H), and 4511.01(A).

³ R.C. 4511.514(A)(1).

⁴ R.C. 4511.514(F).

⁵ R.C. 4511.514(A)(2); R.C. 4511.512, not in the bill.

⁶ R.C. 4511.514(B), (C), and (D).

⁷ R.C. 4511.68(B).

additional predicate motor vehicle offense, the offender is guilty of a fourth degree misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more predicate motor vehicle offenses, the offender is guilty of a third degree misdemeanor. In any instance, the offense is considered a strict liability offense.⁸

HISTORY

Action	Date
Introduced	06-19-19

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⁸ R.C. 4511.01(III) and 4511.514(E).