

Bill No. 36-21  
Concerning: Motor Vehicles and Traffic –  
E-Scooters – Operating  
Requirements and Registration  
Revised: 7-25-22 Draft No. 6  
Introduced: October 19, 2021  
Enacted: September 20, 2022  
Executive: October 3, 2022  
Effective: January 2, 2023  
Sunset Date: \_\_\_\_\_  
Ch. 28, Laws of Mont. Co. 2022

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Councilmember Katz  
Co-Sponsor: Councilmember Alborno

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**AN ACT** to:

- (1) permit a person to register an electric low speed scooter owned by a County resident for personal use;
- (2) require the registration of an electric low speed scooter fleet offered for rent in the County and pay a registration fee;
- (3) establish operating and parking requirements for electric low speed scooter use in the County; and
- (4) generally amend County law governing electric low speed scooter use in the County.

By adding

Montgomery County Code  
Chapter 31, Motor Vehicles and Traffic  
Article IX, E-Scooters  
Sections 31-70, 31-71, 31-72, 31-73, 31-74, 31-75, 31-76, and 31-77

**Boldface**

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

\* \* \*

*Heading or defined term.*

*Added to existing law by original bill.*

*Deleted from existing law by original bill.*

*Added by amendment.*

*Deleted from existing law or the bill by amendment.*

*Existing law unaffected by bill.*

*The County Council for Montgomery County, Maryland approves the following Act:*



28 **31-71. Helmets required.**

- 29 (a) A person who is under age 18 must wear a helmet when riding an e-  
 30 scooter on a public street, right-of-way, or bicycle path in the County.
- 31 (b) The helmet must be approved by the Snell Memorial Foundation or the  
 32 American National Standards Institute, or other institution that the  
 33 Director of Transportation determines meets an equivalent standard.

34 **31-72. Registration of e-scooters for personal use.**

- 35 (a) Any County resident who owns an e-scooter for personal use in the  
 36 County may voluntarily:
- 37 (1) register the e-scooter with the Montgomery County Police  
 38 Department by:
- 39 (A) completing a form provided by the County Executive or  
 40 designee; and
- 41 (B) paying a registration fee, if any;
- 42 (2) have a legible County registration decal on the e-scooter; and
- 43 (3) remove the County registration decal when the e-scooter is sold,  
 44 transferred, or dismantled.
- 45 (b) E-scooter registration under this Section is not transferable.
- 46 (c) A person, other than the owner, must not remove a County registration  
 47 decal from an e-scooter.
- 48 (d) The County Executive may set e-scooter registration fees by Method (3)  
 49 Regulation.

50 **31-73. Registration of e-scooter fleets.**

- 51 (a) Applicability. This Section only applies to a company that owns an e-  
 52 scooter fleet provided for shared use.

- 53           **(b)**   Registration. The owner of 2 or more e-scooters for rent in the County  
 54                   must register the e-scooter fleet with the Department of Transportation  
 55                   by:  
 56                   (1)   completing a form provided by the County Executive or the  
 57                               Executive’s designee; and  
 58                   (2)   paying a registration fee.  
 59           **(c)**   The owner of an e-scooter fleet operating in the County must ensure that  
 60                   each e-scooter has the following information visible:  
 61                   (1)   e-scooter company name;  
 62                   (2)   unique identifier for each e-scooter; and  
 63                   (3)   contact information for the e-scooter company.  
 64           **(d)**   E-scooter registration under this Section is not transferable.  
 65           **(e)**   The Executive may set e-scooter registration fees by Method (3)  
 66                   Regulation or through a memorandum of understanding between the  
 67                   Department of Transportation and the owner of an e-scooter fleet.

68   **31-74. E-scooter operation and parking requirements.**

- 69           **(a)**   Minimum age. A person under the age of 14 must not operate an e-  
 70                   scooter.  
 71           **(b)**   Maximum speed. A person must not operate an e-scooter at a speed  
 72                   greater than 15 miles per hour.  
 73           **(c)**   Reflectors required.  
 74                   (1)   Every e-scooter operating in the County must have:  
 75                               (A)   a lamp on the front that emits a white light visible from at  
 76                                       least 500 feet to the front; and  
 77                               (B)   a red reflector on the rear visible from all distances from 600  
 78                                       feet to 100 feet to the rear when directly in front of lawful  
 79                                       upper beams of head lamps on a motor vehicle.

80           (2)   In addition to, or instead of, the reflector required in subsection  
 81                     (c)(1)(B), an e-scooter may have a functioning lamp that acts as a  
 82                     reflector and emits a red light or a flashing amber light visible from  
 83                     at least 500 feet to the rear.

84       (d)   *Parking requirements.*

85           (1)   An e-scooter must be parked in a standing upright position.

86           (2)   Unless otherwise prohibited by law that specifically prohibits  
 87                     parking on a sidewalk, a person may park an e-scooter:

88                     (A)   in the street buffer zone, which is located between the  
 89                             sidewalk and curb;

90                     (B)   in the frontage zone, which is located between the sidewalk  
 91                             and right-of-way line;

92                     (C)   in the curbside zone, which is located on-street, if:

93                             (i)   corrals or demarcated spaces are available; or

94                             (ii)   if there is no sidewalk or street buffer zone

95                     (D)   on a residential street that permits on-street parking; and

96                     (E)   in a designated location as determined by the Director of the  
 97                             Department of Transportation.

98           (3)   A person must not park an e-scooter:

99                     (A)   on a sidewalk that is 5 feet in width or narrower;

100                    (B)   in a driveway without the permission of the owner of the  
 101                             driveway;

102                    (C)   in an area reserved for sidewalk dining;

103                    (D)   in a transit zone, including bus stops, shelters, and  
 104                             passenger-waiting areas, except at designated areas within a  
 105                             transit zone, as determined by the Director;

106                    (E)   in a loading zone;

- 107 (F) in a parking zone dedicated to accessible parking;
- 108 (G) in a bicycle lane;
- 109 (H) in a manner that impedes access to a doorway, gate, or other  
110 entrance or exit;
- 111 (I) in a manner that reduces the pedestrian zone to less than 4  
112 feet or that otherwise prohibits the free flow of pedestrian  
113 traffic; or
- 114 (J) in a manner that interferes with places of access for persons  
115 with disabilities as required by the Americans with  
116 Disabilities Act.

117 **31-75. Enforcement**

- 118 (a) The enforcement provisions in this Section are in addition to the  
119 enforcement provisions of Article VII of this Chapter.
- 120 (b) The fine for a person's first violation of a helmet requirement of this  
121 Article must be waived if:
  - 122 (1) the person charged:
    - 123 (A) is a minor; and
    - 124 (B) produces proof that the person has obtained a helmet for the  
125 person's use; or
  - 126 (2) the person charged:
    - 127 (A) is the parent or guardian of a minor; and
    - 128 (B) produces proof that the person has obtained a helmet for use  
129 by that minor.
- 130 (c) Penalty. The penalty for a violation of the helmet requirement in this law  
131 must be a Class C civil violation.
- 132 (d) Impoundment.

133           (1)   The County Police Department may impound any unregistered e-  
 134           scooter that is provided for rent until the e-scooter is properly  
 135           registered.

136           (2)   The County police must give an impounding receipt to the owner  
 137           or operator of the unregistered e-scooter that is provided for rent.  
 138           If an unregistered e-scooter provided for rent is impounded, the  
 139           County police must hold an unregistered e-scooter provided for  
 140           rent until it is:

141           (A)   registered;

142           (B)   donated to a non-profit organization that is exempt from  
 143           taxation under Section 501(c)(3) of the Internal Revenue  
 144           Code in the discretion of the Chief Administrative Officer if  
 145           reasonable attempts to locate the owner are unsuccessful; or

146           (C)   disposed of in the manner provided for abandoned motor  
 147           vehicles under Section 31-63.

148   **31-76. Parental responsibility.**

149           A parent or guardian of a minor must not knowingly allow that minor to violate  
 150           this Article.

151   **31-77. Evidence of negligence.**

152           Failure of a person to use a helmet as required by this Article, or evidence that  
 153           a parent or guardian of a minor knowingly allowed the minor to violate a helmet  
 154           requirement of this Article, must not:

155           (a)   be considered evidence of negligence;

156           (b)   be considered evidence of contributory negligence;

157           (c)   limit liability of a party or an insurer; or

158           (d)   diminish recovery for damages arising out of the ownership,  
 159           maintenance, or operation of a motor vehicle.

