

SENATE BILL REPORT

ESB 6316

As Passed Senate, February 13, 2002

Title: An act relating to electric personal assistive mobility devices.

Brief Description: Regulating electric personal assistive mobility devices.

Sponsors: Senators Kastama, Horn, Prentice, Johnson, Eide, Finkbeiner, McCaslin, McDonald, Swecker, Jacobsen, Fairley, Oke, Costa, Thibaudeau, Morton and Benton.

Brief History:

Committee Activity: Transportation: 1/21/02, 2/1/02 [DPS].

Passed Senate: 2/13/02, 40-9.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 6316 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Eide, Horn, Johnson, Kastama, Keiser, McAuliffe, McDonald, Oke, Prentice and Shin.

Staff: Jennifer Ziegler (786-7316)

Background: The Segway is an electronic mobility device that maintains balance through a technology called "dynamic stabilization." Dynamic stabilization uses gyroscopes and tilt sensors, software and circuit boards, and high-powered electric motors to maintain balance the same way a person balances.

The Segway consumer model travels at a maximum of 12.5 miles per hour and travels up to 17 miles on a single charge. The Segway carries a passenger of up to 250 pounds and it weighs about 80 pounds.

Summary of Bill: The Segway is defined as an electronic personal assistive mobility device (EPAMD). The EPAMD is a self-balancing two-wheeled device with an electric propulsion system, designed to transport one person. The maximum speed on a paved level surface, when ridden by an operator who weighs 170 pounds is less than 20 m.p.h.

An EPAMD is not a motor driven vehicle or a motorcycle. The operator of an EPAMD is not required to have a driver's license and is not subject to vehicle lighting and other equipment requirements. The EPAMD is not required to have a certificate of ownership and is not subject to vehicle licensing requirements.

The EPAMD is allowed on bike paths and sidewalks. An EPAMD operator is considered to have all of the rights and duties of a pedestrian except that a person operating an EPAMD obeys all speed limits and yields the right-of-way to pedestrians and human powered devices

at all times. An operator must also give an audible signal before overtaking and passing any pedestrian.

Municipalities and the Department of Transportation may prohibit the use of the EPAMD on public highways within its jurisdiction where the speed limit is greater than 25 m.p.h. Municipalities may also restrict the speed of an EPAMD in areas with congested pedestrian or nonmotorized traffic.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: It is important that people are able to use Segway anywhere, including restaurants and shopping malls. Towns should be Segway-friendly. The Segway falls into a gray area in state statutes. It is not appropriate for motor vehicle provisions to apply to it. The Segway has the ability to be part of a person, so it should be treated as a pedestrian. The U.S. Postal Service, Federal Express, Amazon.com, General Electric, the City of Atlanta and the City of Boston all plan to use Segway. The disabled community will be the primary consumers of Segway.

Testimony Against: (Concerns) The Segway will be operating in the same location as faster vehicles. There are no lighting equipment requirements and no age restrictions in the current legislation. It is important for municipalities to have the option to limit the use of Segway in some parts of a city.

Testified: Senator Kastama, prime sponsor (pro); Matthew Dailida, Segway LLC (pro); Lisa Thatcher, Segway, LLC; Steve Lind, Washington Traffic Safety Commission (concerns); Ashley Probart, Assn. of WA Cities.

House Amendment(s): The limitation on restrictions that may be imposed on the use of an EPAMD by a municipality is removed. Regulation by state agencies or local governments on the use of EPAMDs is allowed in specific areas.