

Testimony of the Pennsylvania Department of Transportation
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Senate Minority Policy Committee
Public Hearing on Micromobility Solutions & Safety (SB 1008)
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Good morning, Chair Miller, Senator Kearney, and members of the Committee. My name is Henry (Hank) Beaver, and I am the Special Assistant to the Deputy Secretary for Multimodal Transportation. I am joined today by my colleague Daniel Farley, Director of PennDOT's Bureau of Operations within our Highway Administration Deputate. Thank you for the opportunity to speak today regarding micromobility solutions and safety. Diverse modes of micromobility are increasingly common across Pennsylvania and their use impacts transportation accessibility and roadway safety. We appear before you today to speak to critical considerations for micromobility devices. Mr. Farley's Bureau of Operations and the broader Highway Administration Deputate oversee aspects of highway safety while my Multimodal Deputate focuses on supporting the different, interconnecting types of transportation beyond traditional motor vehicles that Pennsylvanians use to move through the Commonwealth and thus oversees micromobility users and initiatives.

As you know, a host of bills have been introduced during this Legislative Session surrounding micromobility, including legislation related to low-speed electric scooters (e-scooters). Senate Bill 1008, sponsored by Senator Kearney, seeks to address both commercial operation and private ownership of low-speed e-scooters. Today, we will share PennDOT's ideal framework for the safe, legal operation of low-speed e-scooters in the commercial and private sectors.

A shared low-speed e-scooter pilot program launched in the City of Pittsburgh in July 2021. It was statutorily authorized for two years and expired in July 2023. Legislation has not yet reauthorized the use of low-speed e-scooters, either commercially or for private use, in Pennsylvania. PennDOT agrees that the Commonwealth needs statewide legal frameworks for both low-speed e-scooters and micromobility devices more broadly that acknowledge the widespread proliferation of micromobility devices while providing the necessary safeguards to protect users. In general, low-speed e-scooters should be regulated much the same as pedalcycles, and core rules and requirements should apply equally to private and commercial use

of low-speed e-scooters. Municipalities should be permitted to impose stricter requirements for low-speed e-scooter use. This ensures a uniform statewide standard while preserving the authority of local governments to address the unique needs and challenges of their communities.

If lawmakers consider legalizing low-speed e-scooters in the Commonwealth – meaning a device that weighs less than 100 pounds, has handlebars and an electric motor, has a floorboard or seat, and is solely powered by an electric motor or a combination of human power and electric motor power as defined in Senate Bill 1008 – they should consider the following. First, low-speed e-scooters should not be considered motor vehicles, and as such should be exempt from registration, titling, and inspection requirements. Similarly, a driver's license should not be required to operate a low-speed e-scooter. Second, operational and device requirements are critical for the safety of low-speed e-scooter riders and non-riders alike. These requirements should include a maximum legal speed; limits to where a low-speed e-scooter can be operated, such as within pedalcycle lanes but not between lanes of traffic or on roads with posted speed limits above a certain threshold; and brake, lighting, reflector, and sound signal device requirements should be established. Third, low-speed e-scooter rider limitations further increase safety and decrease the chances of tragedies involving riders, as have occurred in recent months in several regions of the Commonwealth. Riders should be a minimum age to operate a low-speed e-scooter, the number of riders per device should be limited, commercial rentals should not be made to minors, and helmets should be required for all riders. Fourth, the General Assembly should enact standard assumption of risk language for low-speed e-scooter riders that helps clarify liability for collisions or damages that occur while operating a low-speed e-scooter.

PennDOT remains committed to working with our partners in the General Assembly and with law enforcement, including our colleagues at the Pennsylvania State Police, to find an agreeable path forward to regulate low-speed e-scooters specifically and to address micromobility challenges holistically. Compromise legal frameworks for low-speed e-scooters are possible and can be crafted to balance the widespread use of low-speed e-scooters with the inherent safety risks of these micromobility devices. Thank you, again, for the opportunity to testify today.