



Montgomery County Council
Transportation and Environment Committee Hearing
Bill 8-20, E-Scooters - Operating Requirements and Registration
Seth Morgan, Chair – Patricia Gallalee, Vice-Chair
June 9, 2020

The Commission on People with Disabilities reiterates the significant concerns that the Commission has regarding the potential barrier and risk to the safe use of sidewalks posed by e-scooters.

We continue to receive concerns from members of our community and reports of experiences in other jurisdictions around e-scooters and violations of public-rights-of-way. The issue specifically mentioned is that of scooters left on sidewalks and at curb-cuts blocking users of wheelchairs and other mobility devices, and posing a danger to blind and visually impaired individuals. In addition, we have seen, on multiple occasions motorized scooters used on sidewalks.

We recognize that these concerns are mentioned in the MOU (Article III.A.4.b):

Participating Company will work to ensure that Participating Company Dockless Vehicles are parked at public bicycle racks or on public sidewalks or other public areas in a manner that does not impede pedestrian access...does not affect access to street furniture, does not interfere with traffic operations, bus stop operation, driveway access, crosswalks, ADA ramps...

However, there is no real mechanism to decrease the number of dockless vehicles that may be parked illegally. The provision in Bill 8-20 at 7-5 states that, "The County Police Department must enforce the requirements of this chapter..." but it does not specifically indicate that the parking requirements would be enforceable. "Lack of widespread enforcement of restrictions on parking or sidewalk use" was a concern expressed by the Access for All (AFA) Advisory Committee on Dockless Vehicles in the Region in their December 16, 2019 memorandum.

Director Conklin in his letter of January 2, 2020 indicated that there had been conversations with the County Council and the Police on expanded regulation of scooters. However both the letter and the current MOU only highlight the use of a complaints-driven system to address scooters that may have been parked in areas that block public rights of way and access for people with disabilities. While this lets us know how many are improperly parked, it doesn't include any actions to decrease the problem over time. There is no penalty or incentive for either the individual using the scooter nor the vendor.

In some jurisdictions, fines have been levied on scooter companies for improperly placed scooters (the companies and not the individual users are fined) with the company then seeking redress from the individual. In San Francisco, last year, those fines were increased, clearly highlighting an ongoing need.

We understand that the question around fines for scooter companies or individual riders for improperly parked scooters may be something for consideration as part of a permanent dockless vehicle program that will require a hearing and Council action. But because this is such a critical issue for people with

disabilities, we deem it critical to be considered now, while the program is still in its developmental phase. For both vendors and riders, making these changes later can be quite difficult and require not only altering policies and processes, but addressing changed expectations.

We strongly support the recommendation from the Montgomery County Department of Transportation's (MCDOT) Dockless Bikeshare Evaluation Summary that could apply to scooters, which was to: increase the supply of parking racks or corrals, and to designate specific areas for company rebalancing in commercial districts. This would be particularly beneficial for people with disabilities in high pedestrian traffic areas. The call for more orderly parking and corrals is a common theme in community feedback. In addition, other jurisdictions have made recommendations that docking stations for dropping off scooters be put in heavy use areas.

We strongly support the MOU's inclusion of regular data reporting and hope that this would include regular public posting of all data around usage, collisions, violations, and public right-of-way complaints.

The Commission on People with Disabilities is committed to safe, reliable, and equitable transportation. It is our goal to ensure that the County continues to be accountable to its residents with disabilities and is supportive of positive change. The Commission stands ready to provide any additional information, concerns, or recommendations on the e-scooter program and people with disabilities that you might require going forward.

Photo corner of Rockville Pike and Marinelli in front of McDonald's taken by Patricia Gallalee. Example of scooter left in middle of sidewalk.

