

How and Where Should I Ride This Thing? “Rules of the Road” for Personal Transportation Devices

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In 2018 and 2019, “Personal Transportation Devices” (PTDs) exploded onto streets and sidewalks throughout the United States. These small devices transport individuals at slow speeds and are either human-powered or motorized. Examples include electric (kick) scooters, skateboards, e-skateboards, in-line skates (roller blades), and Segways.

The ever-growing number and types of PTDs have generated excitement about the devices’ potential as sustainable, affordable transportation modes, as well as serious concerns about how to integrate PTDs safely into communities. One key to successful integration will be consistent and suitable regulations on user behavior: “rules of the road” for PTD riders.

To help communities identify appropriate rules to govern rider behavior, the authors documented and analyzed existing PTD regulations among the U.S. states and territories, local governments, and university campuses, and then developed a recommended set of state-level “rules of the road” designed to balance safety and freedom of movement for all road users, including PTD riders.

Study Methods

The first phase of the study entailed documenting and analyzing the existing regulations at three levels of government: the “states” (all 50 states and five U.S. territories), 101 cities, and 20 college campuses. For each entity, the authors reviewed relevant legal codes and other regulations to identify (1) definitions of all transportation modes that may include some form of PTD, and (2) all regulations that govern how a person shall operate a PTD.

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With this analysis of current regulatory practices complete, the authors turned to the second task: drawing up a model state regulatory code for the consistent and well-grounded regulation of PTDs. The resulting code is informed by a literature review and interviews with 21 stakeholders.

Findings: Current “Rules of the Road”

The review of existing regulations in states, cities, and university campuses revealed that PTD users operate in a murky regulatory environment, with rules often poorly defined, contradictory, or altogether absent. Key problems include the following:

- For many PTD types, the device is neither directly defined nor regulated in the relevant legal code. For example, electric skateboards were defined and regulated in only 7% of the state codes and 10% of the city codes reviewed.
- PTDs are often subject to regulations for other modes—in contradictory ways. For example, a Segway-style device is regulated as a vehicle in Nebraska but as a pedestrian in Idaho.
- Regulations for a specific device type vary widely from place to place. For example, depending on location, riding a motorized (kick) scooter is prohibited on sidewalks, allowed on sidewalks, or required to be on sidewalks.
- Individual entities regulate functionally similar devices differently. For example, even though motorized kick scooters and electric skateboards both have similar speeds, in California the two devices are subject to different driver’s license, helmet, sidewalk riding, and speed limit regulations.
- Many entities entirely prohibit the use of specific PTDs, either through an outright ban or through combinations of regulations that preclude PTD use in certain situations. For example, some entities prohibit riding PTDs not only on sidewalks but also on high-speed arterials. As a result, riders cannot legally travel in any way along some intended trip routes.

Recommended Rules of the Road for PTDs

The report presents recommended language for state-level regulatory code that provides consistent and well-grounded “rules of the road” for PTD operators. The general philosophy underpinning the model legislation is that PTD rules should protect public safety, permit PTD

use as a convenient travel option, be easy to understand and remember, and allow for new devices without requiring new regulations.

Working from these principles, the authors determined four core recommended aspects of PTD regulations:

- States are the appropriate entity to set comprehensive regulations for PTD riders, though local jurisdictions should have flexibility to limit certain uses when necessitated by local conditions;
- Regulate PTDs as a class, not device by device;
- Where appropriate, craft PTD rules that mimic bicycle rules; and
- Permit PTD users to ride on both streets and sidewalks, subject to rules that protect safety and free movement for all travelers.

The project report provides the exact language of the recommended code, along with discussion of the proposed content.

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To Learn More

For more details about the study, download the full report at transweb.sjsu.edu/research/1713



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