

Consumer Products Safety Commission



United States
CONSUMER PRODUCT SAFETY COMMISSION

<https://www.cpsc.gov/>

July 2019 Meeting, Moscow Transportation Commission

<https://www.nhtsa.gov/interpretations/08-002289as>

January 2019

Dear Mr. Pelegrino:

This responds to your letter, in which you inquired about the classification of vehicles. Specifically, you requested this agency's opinion of whether certain electric scooters would be considered motor vehicles and subject to the regulatory requirements of this agency. Our answer is that, based on the information you provided in your letter and subject to the caveats included below, none of the vehicles you described would appear to be classified as a motor vehicle.

Based on the information in your letter, one of the vehicles you described (the Model TDR48k41) would likely be classified as a low speed electric bicycle under this statute. Your letter stated that this vehicle has a 350 watt electric motor and a rated speed of 19.8 mph. While you did not indicate exactly how you calculated the rated speed, if its top speed was attained using the method indicated by Congress, it would be classified as a low speed electric bicycle, and therefore not a motor vehicle.

Consistent with the Congressional definition of low speed electric bicycle, we have tentatively concluded that if a two- or three-wheeled vehicle were to have a maximum speed capability of less than 20 mph (32 km/h), regardless of on-road capabilities, it would not be a motor vehicle, except in very limited circumstances

The Right Way to Regulate Electric Scooters

As dockless shared-mobility devices spread nationwide, so do the risks of accident and injury. Here's why more federal safety oversight is needed.

<https://www.citylab.com/perspective/2019/04/how-safe-are-e-scooters-liability-accident-bird-lime-lyft/588319/>

April 2019

“In April, Lyft, the owner of the largest bikeshare operator in the U.S., [pulled its fleet of pedal-assist electric bikes off the streets](#) in New York, San Francisco, and Washington, D.C. Users had reported excessive braking force on the front wheel, creating the risk of tossing them over the handlebars.

“Lyft’s recall was widely reported, but under-emphasized was the fact that it was entirely voluntary and self-enforced: The Consumer Product Safety Commission (CPSC), the primary bicycle safety regulator in the U.S., was nowhere to be seen. The absence of coordination by any governmental agency on these types of corrective actions is worrisome, because as new mobility devices emerge, so will new safety risks. E-scooters, whose popularity has exploded in the last 18 months, [may be particularly prone to injuring their riders in crashes.](#)”

Is Electric Scooter Safety Next on the Regulatory Menu?

By Mike Gentine & Derin Kiykioglu on July 9, 2019

<https://www.productliabilityandmasstorts.com/2019/07/is-electric-scooter-safety-next-on-the-regulatory-menu/>

Poised for the Next New Thing

With the hoverboard memory fresh in its mind, the CPSC is likely to get ahead of future potential emerging technology issues. One product that the agency may see as ripe for early intervention is a cousin of hoverboards: electric scooters. We [last wrote](#) about how scooter manufacturers have provided a roadmap for other technology companies to respond to complaints. Scooters share some features of regulatory interest with hoverboards – they’re both powered by lithium ion batteries, for instance – but they also have some unique features. Specifically, the wildly popular scooter-sharing rental model means scooters carry riders with varying levels of ability and knowledge about the product, presenting companies with the challenge of addressing rider safety without a readily available opportunity to warn or instruct them on scooters’ use.

E-Scooters 7/18/19

<https://www.kittelson.com/ideas/three-ways-e-scooters-could-make-cities-safer-more-equitable/>