



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

ELECTRIC KICK-SCOOTERS REGULATIONS

PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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ELECTRIC KICK-SCOOTERS REGULATIONS

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HIGHWAY TRAFFIC ACT

CHAPTER H-5

ELECTRIC KICK-SCOOTERS REGULATIONS

Pursuant to section sections 299 and 312 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

PART 1 - INTERPRETATION

1. Definitions

(1) In these regulations,

- (a) “**Act**” means the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5;
- (b) “**electric kick-scooter**” means a vehicle that has,
 - (i) two wheels placed along the same longitudinal axis, one placed at the front of the kick-scooter and one at the rear,
 - (ii) a platform for standing between the two wheels,
 - (iii) a steering handlebar that acts directly on the steerable wheel, and
 - (iv) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour;
- (c) “**municipality**” means a municipality as defined in clause 1(v) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1;
- (d) “**power-assisted bicycle**” means a power-assisted bicycle as defined in clause 1(1)(d) of the *Highway Traffic Act* Power-Assisted Bicycles Regulations (EC557/21);
- (e) “**public park**” means a provincial park or land designated by a municipality for use as a park.

Scooter not a motor vehicle

(2) An electric kick-scooter is deemed not to be a motor vehicle under the Act.

Application of municipal bylaw

(3) Despite subsection (2), any municipal bylaw that governs or prohibits the operation of a motorized vehicle applies to an electric kick-scooter unless the bylaw provides otherwise.
(EC863/22)

PART 2 - WHERE ELECTRIC KICK-SCOOTERS PERMITTED

2. Operation on highway

No person shall operate an electric kick-scooter on a highway, path, walkway or in a public park or exhibition ground unless

- (a) the operation of the electric kick-scooter is permitted by and in accordance with these regulations; and
- (b) where the highway, path, walkway, public park or exhibition ground is under the jurisdiction of a municipality, the operation of the electric kick-scooter is permitted by and in accordance with any applicable municipal bylaw. *(EC863/22)*

3. Operation on roadway or shoulder

- (1) Subject to subsection (2), a person may operate an electric kick-scooter on a roadway or on the shoulder of a highway.

Where prohibited

- (2) An electric kick-scooter shall not be operated on
 - (a) a highway where the maximum posted speed limit exceeds 60 kilometres per hour; and
 - (b) any highway to which access by pedestrians or bicycles is prohibited under any Act, regulation or municipal bylaw. *(EC863/22)*

4. Bicycle lanes

- (1) Where bicycle lanes are provided on a highway, an electric kick-scooter shall only be operated in the bicycle lanes.

Exception

- (2) Despite subsection (1), where the highway is located in a tunnel or an underpass, an electric kick-scooter may be operated on a sidewalk in the tunnel or underpass rather than the bicycle lane except where the operation is prohibited by a municipal bylaw.

Operation on shoulder or right side of roadway

- (3) Where bicycle lanes are not provided on a highway or where the operation of electric kick-scooters in bicycle lanes is prohibited by a municipal bylaw, an electric kick-scooter shall only be operated,
 - (a) where there is a shoulder on the highway, on the shoulder as close to the right edge of the shoulder as possible; or
 - (b) where there is no shoulder on the highway, on the right side of the roadway as close to the edge of the roadway as possible. *(EC863/22)*

5. Prohibition

For greater certainty, no person shall operate an electric kick-scooter on a sidewalk. *(EC863/22)*

PART 3 - EQUIPMENT

6. Equipment

- (1) An electric kick-scooter shall have one or more electric batteries that are the sole source of power to the motor.

No seat, etc. or enclosing structure

- (2) An electric kick-scooter shall not have
- (a) a seat, surface or structure that could be used as a seat;
 - (b) pedals attached to it;
 - (c) a basket attached to it;
 - (d) wheels with a diameter of more than 430 millimetres; or
 - (e) any structure to enclose the electric kick-scooter.

Bell or horn

- (3) An electric kick-scooter shall be equipped with a bell or horn.

Weight

- (4) The weight of an electric kick-scooter, including the weight of its motor and batteries, shall not exceed 45 kilograms when the electric kick-scooter is unladen.

Motor

- (5) The motor of an electric kick-scooter shall
- (a) be electric;
 - (b) have a continuous power output rating that in total does not exceed 500 watts; and
 - (c) not be capable of propelling the electric kick-scooter at a speed that exceeds 24 kilometres per hour on a clean, paved and level surface.

Motor shut-off requirement

- (6) The motor of an electric kick-scooter shall turn off or disengage where
- (a) an accelerator controller is released; or
 - (b) the brakes are applied.

Batteries, motor

- (7) The batteries and motor of an electric kick-scooter shall be securely fastened to the electric kick-scooter to prevent their movement in any direction relative to the electric kick-scooter while the electric kick-scooter is in motion.

Combustion engine power prohibited

- (8) An electric kick-scooter shall not be equipped with a generator, alternator or similar device powered by a combustion engine.

Electric terminals

- (9) All electric terminals on an electric kick-scooter shall be completely insulated and covered.

Prohibition against modification after manufacture

- (10) No person shall operate an electric kick-scooter where the electric kick-scooter has been modified after its manufacture in any way that may result in

- (a) increasing its power or its maximum speed beyond the limits set out in subclause 1(1)(c)(iv); or
- (b) it being propelled by any form of non-muscular propulsion other than its electric motor.

Braking system

- (11) An electric kick-scooter shall be equipped with a braking system capable of bringing the electric kick-scooter, while being operated at a speed of 24 kilometres per hour on a clean, paved and level surface, to a full stop within nine metres of the point at which the brakes are applied.

Good working order

- (12) No person shall operate an electric kick-scooter unless it is in good working order.

Components good working order

- (13) The owner or operator of an electric kick-scooter shall ensure the electric kick-scooter and all of its components are maintained in good working order at all times. (EC863/22)

PART 4 - SAFE OPERATION

7. Safe distance

- (1) Every operator of an electric kick-scooter shall at all times keep a safe distance from pedestrians and other users of a roadway, shoulder, highway, path, walkway, public park or exhibition ground and shall give way to a pedestrian or other roadway user by slowing or stopping, as necessary, where there is insufficient space for the pedestrian or other roadway user and the electric kick-scooter to pass.

Comparable speed

- (2) An electric kick-scooter shall not be operated on a highway, path, walkway or in a public park or exhibition ground at a speed that is markedly greater than the speed of any pedestrians who are proximate to the electric kick-scooter.

Bell, horn

- (3) Every operator of an electric kick-scooter shall sound the bell or horn on the electric kick-scooter whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.

Lighted lamps at front, rear

- (4) No person shall operate an electric kick-scooter at any time from one-half hour before sunset to one-half hour after sunrise and at any other time where, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less, unless the electric kick-scooter is equipped with
 - (a) at the front of the electric kick-scooter, a lighted lamp displaying a white or amber light that, under normal atmospheric conditions, is visible from at least 150 metres in the direction the electric kick-scooter is pointed; and
 - (b) at the rear of the electric kick-scooter, a lighted lamp displaying a visible red light.

Lamps attached, carried or worn

- (5) The lamps referred to in subsection (4) may be
 - (a) attached to the electric kick-scooter; or

- (b) carried or worn by the person operating the electric kick-scooter.

Safe operation

- (6) An electric kick-scooter shall not be operated in a manner that may harm, injure or damage, either directly or indirectly, any person or property. (EC863/22)

PART 5 - GENERAL RULES - OPERATION

8. Rights and duties

- (1) Every person who operates an electric kick-scooter shall obey the same road rules as bicyclists, subject to this Part.

Minimum age of operator

- (2) No person under the age of 16 years shall operate an electric kick-scooter.

Obligation of owner

- (3) The owner of an electric kick-scooter shall not authorize or knowingly permit a person under the age of 16 years to operate the electric kick-scooter.

Where driver's license suspended

- (4) No person shall operate an electric kick-scooter where the driver's license of the person is suspended or cancelled under the Act or the person is otherwise disqualified or prohibited from operating a motor vehicle or obtaining a driver's license under the Act.

Passenger

- (5) No person operating an electric kick-scooter shall carry any other person on the electric kick-scooter.

Prohibition against towing

- (6) No person operating an electric kick-scooter shall tow another person, vehicle or device.

Prohibition against attaching to another device

- (7) No person operating an electric kick-scooter shall attach himself or herself to another electric kick-scooter, vehicle or device for the purpose of being drawn or towed.

Requirement for standing

- (8) No person operating an electric kick-scooter shall operate it in any position other than while standing at all times.

No cargo

- (9) No cargo may be carried on an electric kick-scooter.

Passage of vehicles or pedestrians

- (10) No person operating an electric kick-scooter shall leave it in a location that is intended for the passage of vehicles or pedestrians.

Safety helmet

- (11) No person shall operate an electric kick-scooter unless the person is wearing a properly fitted and fastened bicycle safety helmet.

Approval for use by CSA

- (12) The bicycle safety helmet referred to in subsection (11) shall meet the standards for bicycle safety helmets as specified in the Bicycle Safety Helmet Regulations (EC329/03) made pursuant to the Act.

Prohibition against operation in same lane

- (13) No person shall operate an electric kick-scooter on a highway beside a moped, bicycle, power-assisted bicycle or another electric kick-scooter that is operating in the same traffic lane.

Exemption

- (14) Subsection (13) does not apply where the person is
- (a) travelling in the near vicinity of and in the same direction as a moped, bicycle, power-assisted bicycle or another electric kick-scooter and the person is operating the electric kick-scooter in single file in relation to the moped, bicycle, power-assisted bicycle or other electric kick-scooter;
 - (b) making or attempting to make a turn on a highway; or
 - (c) overtaking or passing a moped, bicycle, power-assisted bicycle or another electric kick-scooter. (EC863/22)

9. Duty to stop

Every operator of an electric kick-scooter shall stop when required to do so by a peace officer and shall, on the demand of the peace officer,

- (a) surrender the operator's driver's license, if the operator has one and has the license in the operator's possession, for reasonable inspection by the officer; or
- (b) provide the officer with the operator's correct name, address and date of birth. (EC863/22)

10. Duty to report accident

- (1) Where an electric kick-scooter is involved in an accident with a pedestrian, animal or vehicle that results in personal injury or property damage, or both, the operator of the electric kick-scooter shall report the accident to a peace officer without delay and furnish the officer with the information concerning the accident as may be required under subsection (2).

Written report

- (2) A peace officer receiving the report of an accident under subsection (1) shall secure from the person making the report, or by other inquiries where necessary, the particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and any other information that may be necessary to complete a written report concerning the accident.

Written report to Registrar

- (3) The written report of a peace officer referred to in subsection (2) shall be
- (a) provided to the Registrar by the peace officer within 10 days of the accident being reported to the officer; and
 - (b) in a form approved by the Minister. (EC863/22)

PART 6 - OFFENCE AND PENALTY

11. Offence and penalty

Every person who contravenes any provision of these regulations is guilty of an offence and liable on summary conviction to a fine of not less than \$200 and not more than \$2,000.
(EC863/22)