



**Testimony of Bird Rides, Inc.
Before the Joint Legislative Budget Committee on Transportation
January 30, 2019**

Thank you for this opportunity to testify on behalf of Bird. We are here to speak on Part P of the Transportation Economic Development and Environmental Conservation budget legislation (A2008 / S1508) which authorizes local governments to allow e-scooters and e-bicycles. Specifically, we will address e-scooters, a transformative, affordable, and environmentally friendly way to travel adopted by cities across the country.

About a year and a half ago, we launched the world's first dockless electric low-speed scooters ("e-scooters"). Since then, we have expanded to over 100 cities around the world, serving tens of millions of people by providing safe, sustainable, and low-cost "last-mile" transportation.

Cities have reaped enormous benefits from integrating e-scooters into their transportation networks. In particular, shared e-scooter systems have been shown to be:

- **SAFE:** Every safety study of shared e-scooters conducted by cities have shown them to be as safe as bicycling. In Austin, for example, 1.2 million trips over four months resulted in only 37 injuries and 0 fatalities. In Kansas City, a manual review of over 100,000 EMS records found only 19 scooter injuries and 0 fatalities.

In the most comprehensive safety study to date, the City of Portland concluded not only that e-scooters posed no more risk than any other mode of transportation, but that their widespread adoption meant that they could in fact "contribute to a **reduction** in serious injuries and fatalities".

By replacing car trips, e-scooters would make the streets safer for all New Yorkers — pedestrians, cyclists, scooter riders, and drivers.

- **SUSTAINABLE:** Shared e-scooters relieve congestion and reduce carbon emissions by replacing car trips — data from Portland, Oregon, for instance, suggests that over 230,000 car trips were eliminated in just 4 months.
- **INCLUSIVE:** Shared e-scooters are inexpensive and affordable, often costing less than a subway ride, encouraging widespread adoption among all demographics.
- **COMPLEMENTARY:** Shared e-scooters fill a vital last-mile transportation gap and help individuals more easily access existing public transit options.
- **JOB-CREATING:** Shared e-scooters help boost local economies: Bird has provided tens of thousands of local income opportunities in our markets across the country.

Using a Bird scooter is not only simple but also one of the least expensive ways to travel. The Bird smartphone app allows a rider to find the closest Bird scooter on a map, turn it on, and ride directly to their desired destination for only \$1 plus \$0.15–\$0.20 per minute. The Bird app also educates the rider on all applicable state and local regulations.

However, unlike much of the rest of the country, New York cities have largely been unable to take advantage of these benefits because the Vehicle and Traffic Law does not define e-scooters. This lack of definition has created confusion over how these low-speed devices should be regulated, causing New York cities to fall behind the rest of the country in adopting this next generation of micromobility. Bird therefore applauds Governor's Cuomo decisions to make a significant step towards allowing the state of New York to catch up to the rest of the country in regulating and managing this exciting new technology in the FY 2020 New York State Executive Budget.

In doing so, Bird respectfully recommends that New York adopt the same regulatory approach that has already been taken by every other state to regulate this device — to treat e-scooters like bicycles. This approach has been consistently embraced because granting e-scooters all the rights and duties of bicycles is an intuitive and simple approach to legislation that is easiest for riders to understand, while immediately creating reasonable expectations for drivers, pedestrians, and others sharing the road. Specifically, Bird recommends that New York follow this precedent in regulating e-scooters like bicycles:

- E-scooters are defined under an industry consensus definition: a device weighing less than 100 pounds that (i) has handlebars and an electric motor, (ii) is solely powered by the electric motor and/or human power, and (iii) has a maximum speed of no more than 20 mph on a paved level surface when powered solely by the electric motor.
- Like bicycles, e-scooters do not need license plates, registration, titling, etc.
- E-scooter riders can ride where bicycles can ride, such as on streets and bicycle lanes, and park where bicycles can park, such as bike racks and sidewalks, if not blocking pedestrian traffic.
- E-scooter riders obey the same laws as cyclists, such as keeping generally to the right, and receive the same protections as cyclists, such as vulnerable user laws.
- E-scooter riders obey the same helmet requirements as cyclists.
- E-scooters are subject to the same equipment requirements as bicycles: a functional brake, and front and rear lights if operated at night.

This largely mirrors the existing approach, with a few small differences, including:

- The budget would require e-scooters to conform to specific dimensions that do not match the majority of e-scooters today. We request that rather than legislate particular dimensions in a fast-changing industry, New York follow the prevailing industry definition, referencing the weight of the scooter instead.
- The budget would require municipalities to pass their own ordinances for e-scooters, making e-scooters the only mode of transportation to have such a requirement and undermining the uniformity of the Vehicle and Traffic Law.
- The budget would create different helmet laws for e-scooters and bicycles; we request that the same helmet laws that apply to bicycles should apply to e-scooters.

On behalf of Bird, thank you for this opportunity to testify. Across the country, e-scooters have reduced carbon emissions, relieved congestion, and made the streets safer for all by eliminating car trips. We look forward to being able to do the same for New Yorkers across our great state — from Buffalo, to Syracuse, to Albany, to Queens and everywhere else in between.

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