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From the Milwaukee Business Journal:

<https://www.bizjournals.com/milwaukee/news/2018/06/28/milwaukee-city-attorney-bird-electric-scooters.html>

Transportation

# **(Updated) Milwaukee City Attorney: Bird electric scooters unlawful, users subject to \$100 citation**

Jun 28, 2018, 11:02am CDT **Updated: Jun 29, 2018, 9:54am CDT**

Bird Riders Inc. launched its electric scooter-sharing platform in Milwaukee Wednesday, but city officials are saying use of the dock-less vehicles go against state statute and are subject to citations.

"The public should be aware that Bird's



Bird Riders is starting in Milwaukee's 3rd Ward and plans to expand. Its shareable electric scooters can only be used when rented through a mobile app. The

company said scooters are meant to be ridden in city bike lanes and on the street, rather than on the sidewalk.

The City Attorney's office says that's not permitted.

"Whether defined as a vehicle (Wis. Stat. Sec. 340.01(35)), motor vehicle (Wis. Stat. Sec. 340.01(35)) or a play vehicle (Wis. Stat. Sec. 340.01(43m)), under no circumstances may motorized scooters operate on a public street because they are not designed for on-street use. If motorized scooters were designed for on-street use, they would be subject to federal safety standards and manufacturer certifications. Further, regulations pertaining to operation of motor vehicles apply equally on sidewalks and streets as both are part of the public highway right-of-way."

The City Attorney's offices goes on to say "any operator of a Bird motor scooter on a city street or sidewalk is subject to a \$98.80 citation for operating an unregistered motor vehicle upon a highway contrary to Wisconsin state section 341.04(1)."

California-based Bird released the following statement in response to the city attorney's notification to the public about the scooters.

"Bird scooters are helping cities meet their ambitious goals of reducing carbon emissions and addressing the ever present car traffic crisis. We respectfully disagree with the city's contention that operation of any electric scooter in the state of Wisconsin is unlawful. We look forward to working with the city to create and enforce common sense rules encouraging the safe use of our sustainable transportation option that the people of Milwaukee have begun to adopt enthusiastically."

According to the mobile app, there are dozens of scooters still available across the downtown Milwaukee area.



to proceed anyway," he said in a statement. "It has recklessly undertaken a publicity stunt which could victimize its own clientele by encouraging them to violate the law and suffer consequences because of it."

**Nick Williams**

Reporter

Milwaukee Business Journal

