Councilmember Charles Allen

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, Title II of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to require that electric bicycles, electric mobility devices, and traction batteries manufactured, distributed, sold, or offered for lease or rent in the District meet certain safety standards; to amend the District of Columbia Traffic Act, 1925 to make conforming amendments; to amend the Department of Transportation Establishment Act of 2002 to authorize the Director of the District Department of Transportation to develop policies for the safe use of electric bicycles, motorized bicycles, and electric mobility devices; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Micromobility Fire Safety Standards Emergency Amendment Act of 2026".

Sec. 2. Title II of the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective May 1, 2008 (D.C. Law 17-149; D.C. Official Code § 50-1611 *et seq.*), is amended by adding a new section 203 to read as follows:

"Sec. 203. Requirements for manufacturer, distribution, sale, lease, rent of micromobility and traction batteries.

"(a) For the purposes of this section, the term:

"(1) "Certification" means the attestation by a certification body, indicated by a certification mark on the equipment, device, or product, that the equipment, device, or product has been evaluated, tested, and found to conform to the standards specified in section 3.

"(2) "Certification body" means an independent third-party organization providing certification for micromobility devices that:

"(A) Is recognized by the U.S. Department of Labor's Occupational Safety and Health Administration ("OSHA") as a Nationally Recognized Testing Laboratory; or

"(B) Has received ISO/IEC 17065 accreditation from an independent accreditation body that is a member of the Global Accreditation Cooperation Incorporated, or any successor organization.

"(3) "Certification mark" means a mark of conformity owned by a certification body and registered with the U.S. Patent and Trademark Office that is visible and affixed to a product that has received certification.

"(4) "Electric bicycle" shall have the same meaning as provided in section 2(6A) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6A)).

"(5) "Electric mobility device" shall have the same meaning as provided in section 2(6B) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(6B)).

"(6) "Micromobility device" means an electric bicycle or electric mobility device.

"(7) "Nationally Recognized Testing Laboratory" means an organization that meets the qualifications provided in 29 C.F.R. § 1910.7(b) and is recognized as a Nationally Recognized Testing Laboratory by the Occupational Safety and Health Administration.

"(8) "SFD operating company" shall have the same meaning as provided in section 2(14C) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02(14C)).

"(9) "Traction battery" means a rechargeable battery used to power the electric motors of a micromobility device.

"(b) All micromobility devices, and traction batteries for such devices, that are manufactured, distributed, sold, or offered for lease or rent in the District shall meet the following safety standards:

"(1) Electric bicycles shall be evaluated, tested, and certified to UL 2849 or EN 15194 and bear the certification mark, except, that for 6 months following the effective date of the Micromobility Fire Safety Standards Amendment Act of 2026, passed on 2nd reading on September 22, 2026 (Enrolled version of Bill 26-244), an SFD operating company may satisfy the requirements of this paragraph by evaluating, testing, and certifying any electric bicycles offered for rental or lease to UL 2272;

"(2) Electric mobility devices shall be evaluated, tested, and certified to UL 2272 and bear the certification mark; and

"(3) Traction batteries for use in micromobility devices shall be evaluated, tested, and certified to UL 2271 or EN 50604 and bear the certification mark.

"(c) Notwithstanding subsection (b) of this section, a micromobility device or traction batteries may not display a certification mark if:

"(1)(A) The micromobility device or the traction battery is offered for rental or lease by an SFD operating company or by the Capital Bikeshare program; and

"(B) The SFD operating company or the Capital Bikeshare program has provided documentation to DDOT establishing that the electric bicycle, electric mobility device, or traction battery meets the applicable safety standard as described in subsection (b) of this section; or

"(2) The micromobility device is being offered for a secondhand sale.

"(d) Evaluation, testing, and certification of any standard listed in subsection (b) of this section shall be performed by a certification body.".

Sec. 3. Section 2 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02), is amended as follows:

(a) Paragraph (6A) is redesignated as paragraph (6B).

(b) A new paragraph (6A) is added to read as follows:

"(6A) Electric bicycle" means a vehicle with:

"(A) A post-mounted seat or saddle;

"(B) Two or 3 wheels that are in contact with the ground;

"(C) Fully operative pedals for human propulsion; and

"(D) One or more electric motors to either assist the rider when pedaling or provide motive power to the wheels when the rider is not pedaling.".

(c) Paragraph (6B)(A) is amended to read as follows:

"(6B)(A) "Electric mobility device" means a mobility device with a rechargeable electric drive train that propels the rider, and which may be provided with a handle for grasping while riding, regardless of whether the device is self-balancing or if the rider may or may not be seated.".

(d) Paragraph (11) is amended to read as follows:

"(11)(A) "Motor vehicle" means any vehicle propelled by internal combustion engines, electricity, or steam.

"(B) The term "motor vehicle" shall not include motorized bicycles, traction engines, road rollers, vehicles propelled only upon rails or tracks, electric mobility devices, personal mobility devices, and a battery-operated wheelchair when operated by a person with a disability.".

Sec 4. Section 4(a)(1)(K) of the Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(a)(1)(k)), is amended to read as follows:

"(K) Develop policies and programs to encourage and provide for the safe use of bicycles, electric bicycles, motorized bicycles, and electric mobility devices, as those terms are defined in section 2 of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.02), for recreation, commercial use, and work-related travel, including planning, developing, operating, and regulating a Bicycle Sharing

program, and administering the Bicycle Sharing Fund established by section 9h to fund a Bicycle Sharing program;".

Sec. 5. Subsection 3399.1 of Title 24 of the District of Columbia Municipal Regulations (24 DCMR § 3399.1) is amended by striking the phrase "Electric mobility device – A device weighing less than seventy-five (75) pounds that has an electric motor, is solely powered by the electric motor or human power, is designed to transport only one (1) person in a standing or seated position, where the rider is not enclosed, and is no greater than twenty-four (24) inches wide and fifty-five (55) inches long, but does not include a motorized bicycle, personal mobility device, motorcycle, or moped." and inserting the phrase "Electric mobility device – a mobility device with a rechargeable electric drive train that propels the rider, and which may be provided with a handle for grasping while riding, regardless of whether the device is self-balancing or if the rider may or may not be seated." in its place.

Sec. 6. Subsection 9901.1 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901.1), is amended as follows:

(a) Strike the phrase "Electric mobility device – a device weighing less than seventy-five (75) pounds that has an electric motor, is solely powered by the electric motor or human power, is designed to transport only one (1) person in a standing or seated position, where the rider is not enclosed, and is no greater than twenty-four (24) inches wide and fifty-five (55) inches long, but does not include a motorized bicycle, personal mobility device, motorcycle, moped, or motor-driven cycle." and insert the phrase "Electric mobility device – a mobility device with a rechargeable electric drive train that propels the rider, and which may be provided with a handle

for grasping while riding, regardless of whether the device is self- balancing or if the rider may or may not be seated" in its place.

(b) Strike the phrase "Motor Vehicle - any vehicle propelled by internal-combustion engine, electricity, or steam, including any non-operational vehicle that is being restored or repaired. The term "motor vehicle" shall not include road rollers, farm tractors, vehicles propelled only upon stationary rails or tracks, electric personal assistive mobility devices, and battery-operated wheelchairs when operated by a handicapped person at speeds not exceeding 10 miles per hour." and insert the phrase "Motor Vehicle - any vehicle propelled by internal-combustion engines, electricity, or steam. The term "motor vehicle" shall not include motorized bicycles, traction engines, road rollers, vehicles propelled only upon rails or tracks, electric mobility devices, personal mobility devices, or a battery- operated wheelchair when operated by a person with a disability" in its place.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Sec. 9. Sunset.

This act shall expire on the effective date of the Micromobility Fire Safety Standards Amendment Act of 2026 (A26-0420; 73 DCR 13450).