



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Measure to tame the Wild West of e-scooters advances

AB 1286 requires firms to carry insurance and bans liability waivers

SACRAMENTO (August 18, 2020) – Legislation that would boost protections for users of rental e-scooters and e-bikes that have proliferated in many of California’s larger cities won approval today from the state Senate Judiciary Committee and is headed to a floor vote.

Assembly Bill 1286, authored by Asm. Al Muratsuchi (D-Torrance) and co-sponsored by Consumer Attorneys of California and the League of California Cities, would require rental firms to obtain an operating permit and also carry minimum insurance to protect riders and pedestrians in the event of injury. Cities and counties, meanwhile, would be required to adopt rules for parking, operation and maintenance of rental scooters and bikes.

“We need to get control of the Wild West situation that persists on our streets and sidewalks,” said Consumer Attorneys of California President Micha Star Liberty. “Even now during the pandemic, pedestrians are forced to dodge riders and step around scooters parked at random on sidewalks. Serious injuries, even deaths, are occurring without adequate coverage for those who are harmed.”

If signed into law, AB 1286 would create a uniform statewide insurance standard for e-scooters and bikes similar to California’s pioneering 2014 insurance requirements for companies such as Uber and Lyft. Micro-mobility firms would be required to maintain insurance covering \$1 million for each accident and \$5 million in aggregate each year.

Rental companies will also be prohibited from forcing riders to waive their legal rights as many now do. Most of the firms require riders to sign lengthy e-contracts that often also include take-it-or-leave-it waivers releasing companies from responsibility for injuries or deaths, even when a crash is caused by mechanical problems with a scooter or bike.

Dangers on the streets and sidewalks of California’s cities caused by micro-mobility rental scooters and bikes are real. Since 2018, at least 17 e-scooter riders have been killed in U.S. cities, three of them in California. A study published last year in the Journal of the American Medical Association reported that more than 200 scooter riders were treated for injuries in just two Southern California emergency rooms.

In a separate action, the Senate Judiciary Committee approved a CAOC-sponsored civil procedure bill, Assembly Bill 2723 by Asm. David Chiu (D-San Francisco), that would streamline the settlement process in civil cases. The measure would give attorneys for parties in civil litigation the ability to sign a stipulated settlement on a litigant’s behalf. The measure now goes to the Senate floor.

Consumer Attorneys of California is a professional organization of plaintiffs’ attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

For more information:

**J.G. Preston, CAOC Press Secretary, 916-600-9692, jgpreston@caoc.org
Eric Bailey, CAOC Communications Director, 916-201-4849, ebailey@caoc.org**