



DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Parts 1, 2, and 4

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RIN 1024-AE79

Powered Micromobility Devices

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: The National Park Service finalizes a management framework for the use of powered micromobility devices within the National Park System. The final rule defines powered micromobility devices separately from motor vehicles, traditional bicycles, electric bicycles, and human powered coasting devices, and creates rules for where and how they may be used in units of the National Park System. Examples of powered micromobility devices include electric scooters (e-scooters), hoverboards, and Segways.

DATES: This rule is effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Comments received on the proposed rule are available on <https://www.regulations.gov> in Docket No. NPS-2025-0001.

FOR FURTHER INFORMATION CONTACT: Jay Calhoun, Division of Regulations, Jurisdiction and Special Park Uses, National Park Service; phone: (202) 281-0734; email: waso_regulations@nps.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international

calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Background.

Powered micromobility devices, such as e-scooters, hoverboards and Segways, are appearing on lands administered by the National Park Service (NPS) with greater frequency, especially in urban locations. Units of the National Park System, such as the National Mall and Memorial Parks in Washington, DC, are filled with e-scooters on a daily basis as visitors use them to access, leave, and travel through the park, including on sidewalks and paths that are shared with pedestrians. Other System units with considerable use of e-scooters and other powered micromobility devices include Golden Gate National Recreation Area, San Antonio Missions National Historical Park, Mississippi National River and Recreation Area, and Cape Cod National Seashore. The U.S. Department of Transportation (DOT) Federal Highway Administration provides a fact sheet with an overview on micromobility, along with links to additional resources.¹ U.S. DOT also funds the Pedestrian and Bicycle Information Center (PBIC), which has a website containing a volume of information about active transportation, including micromobility devices. The information in this Background section of the final rule contains a basic overview of powered micromobility devices that is found on the PBIC website. Please visit <https://www.pedbikeinfo.org/> for more information.

The U.S. DOT and PBIC classify traditional and electric bicycles as micromobility devices; however, the NPS has promulgated general regulations addressing the use of traditional and electric bicycles in park areas in 36 CFR 4.30. As a result, this rule does not address traditional and electric bicycles. As used in this Background section of the final rule, the term “powered micromobility devices” does not refer to traditional bicycles, nor does it refer to electric bicycles, nor to human powered

¹ U.S. Department of Transportation, Federal Highway Administration, Fact Sheet on Micromobility.

coasting devices such as roller skates and skateboards, which are governed by NPS regulations at 36 CFR 2.20. It does refer to electric standing or sitting scooters (e-scooters) and devices such as electric skateboards, electric skates, and one-wheeled or two-wheeled electric self-balancing devices (*e.g.*, balance wheels, hoverboards and Segways).

According to the PBIC, powered micromobility devices share three common characteristics.² First, powered micromobility devices are motorized. They can be fully motorized or motor-assisted, in which the rider can provide some human-powered propulsion, such as by kicking. They usually involve a battery-powered electric motor that provides 750 watts of maximum power. Second, powered micromobility devices are operated at low speed. Most powered micromobility devices are designed to travel at or below 20 miles per hour (mph), although some can reach 30 mph.³ Others may be regulated to lower maximum speeds, such as 8 mph or less, to be compatible with sidewalk use. Third, powered micromobility devices are small in size. Most powered micromobility devices are three feet wide or less to fit within the standard width of a bike lane or sidewalk. Most powered micromobility devices weigh less than 50 pounds. Due to their weight and size, most powered micromobility devices are designed to be used by single riders.

Users can own or rent powered micromobility devices. Rentals account for the majority of use in urban areas due to the deployment of shared fleets by private companies such as Uber, Lyft, Bird, and Lime. Shared fleets provide users with on-demand access to powered micromobility devices, which operators typically unlock using a smartphone application. Powered micromobility devices that are part of shared fleets

² Sandt, L. (October 2019). The basics of micromobility and related motorized devices for personal transport. Pedestrian and Bicycle Information Center: Chapel Hill, NC.

³ The Society of Automotive Engineers classifies powered micromobility devices as those with a top speed of less than 30 mph. See Taxonomy and Classification of Powered Micromobility Vehicles J3194_201911 issued November 20, 2019. Revised version released February 25, 2025 (J3194_202502).

are most commonly parked in public rights-of-way, such as sidewalks. In some cases, parking areas or docks may exist for grouping devices when they are not in use. Powered micromobility devices are mostly used in cities and serve a variety of transportation and public health goals. Shared powered micromobility devices provide communities with healthy, affordable, and low- or no-emission transportation options.⁴ Powered micromobility devices can help close first- and last-mile gaps to transit and offer individuals greater access to jobs, health care, and other services.⁵ This may be particularly true for underserved communities.⁶ Powered and adaptive micromobility devices may increase mobility for older adults or individuals with disabilities because they are less strenuous to operate than traditional bicycles or scooters.⁷ Powered micromobility devices serve the NPS's objective to provide alternatives to existing transportation options to address visitor needs.⁸ They also serve the NPS's objectives to improve connections to neighboring communities, reduce traffic congestion, and ease parking shortages.⁹ Shared powered micromobility devices continue to become more prevalent and popular. The North American Bikeshare and Scootershare Association estimates that 84.9 million trips on e-scooters were taken in North America in 2024.¹⁰

Existing Regulatory Framework.

The safety of powered micromobility devices, like other products sold in the United States, is regulated by the Consumer Product Safety Commission (CPSC) under the Consumer Product Safety Act. 15 U.S.C. 2051-2090. The CPSC does not regulate

⁴ U.S. Department of Transportation, Federal Highway Administration, Shared Micromobility and Equity Primer.

⁵ U.S. Department of Transportation, Federal Highway Administration, Fact Sheet on Micromobility.

⁶ Id. See also U.S. Department of Transportation, Federal Highway Administration, Shared Micromobility and Equity Primer.

⁷ U.S. Department of Transportation, Federal Highway Administration, Fact Sheet on Micromobility.

⁸ National Transportation Strategy, NPS (2025).

⁹ Id.

¹⁰ NABSA 2024 Shared Micromobility State of the Industry Report.

who may use powered micromobility devices and where they may be used.

The NPS has broad authority to regulate activities that occur within units of the National Park System. See 54 U.S.C. 100101 and 100751. Human powered coasting devices, such as roller skates and skateboards, are governed by regulations in 36 CFR 2.20. NPS general regulations addressing the use of motor vehicles, traditional bicycles, and electric bicycles are found in 36 CFR part 4.¹¹ Each of these devices is defined separately in 36 CFR 1.4 and has its own regulatory framework in 36 CFR part 4 that is tailored to the characteristics of each device and how they are used. Motor vehicles are defined in 36 CFR 1.4 as “every vehicle that is self-propelled and every vehicle that is propelled by electric power, but not operated on rails or water, except an electric bicycle, a snowmobile, and a motorized wheelchair.” This definition is broad enough to include powered micromobility devices. As a result, powered micromobility devices fall within the NPS’s existing regulatory framework for motor vehicles, even though powered micromobility devices are lighter, smaller, and used differently by visitors. The differences between traditional motor vehicles and powered micromobility devices are numerous, but to highlight one that relates to the potential to cause impacts to resources and visitors in System units, the average weight of an automobile is 4,303 pounds while most powered micromobility devices weigh less than 50 pounds.¹²

Due to concerns about impacts to resources and visitors, NPS regulations at 36 CFR 4.10 generally limit motor vehicle use to public roads and parking areas within System units.¹³ See 52 FR 10679 (April 2, 1987). The NPS may allow off-road motor vehicle (ORV) use in national recreation areas, national seashores, national lakeshores

¹¹ Special regulations in 36 CFR parts 7 and 13 govern motor vehicle and bicycle use in specific System units. U.S. Department of the Interior regulations in 43 CFR 36.11 implement section 1110(a) (16 U.S.C. 3170) of the Alaska National Interest Lands Conservation Act (ANILCA) and govern the use of motor vehicles and nonmotorized surface transportation in System units located in Alaska.

¹² The 2022 EPA Automotive Trends Report. EPA-420-R-23-033 December 2023.

¹³ Additional allowances apply to the use of motor vehicles in System units in Alaska under regulations implementing ANILCA. See 43 CFR 36.11.

and national preserves, but only after it completes a rulemaking process that designates routes and areas for ORV use in special regulations that apply to the System unit. ORV use is not allowed in national parks or other types of System units (*e.g.*, national monuments) that are managed by the NPS but not identified in 36 CFR 4.10.

Despite obvious differences in design, capability, and the potential to cause impacts to resources and visitors, current NPS regulations apply to powered micromobility devices and traditional motor vehicles in the same way. This has led to an undesired outcome where (1) NPS transportation strategies to identify and implement new technologies that improve visitor access and enhance visitor experience;¹⁴ (2) visitor expectations; and (3) on-the-ground use of powered micromobility devices are not served by outdated regulations meant to address a different type of visitor use within System units. On the one hand, NPS motor vehicle regulations are too limiting with respect to where powered micromobility devices may be used off park roads and parking areas, especially in System units located in or near cities. In these System units, visitors use powered micromobility devices, such as e-scooters and Segways, on paved and gravel sidewalks and paths in a manner that causes impacts to resources and visitors that are much less significant than would be caused by traditional motor vehicles (*e.g.*, cars, trucks and vans) used in the same locations. On the other hand, NPS motor vehicle regulations are too lenient with respect to the use of powered micromobility devices on roads and parking areas. The existing regulations allow powered micromobility devices by default on all roads open to public motor vehicle use, many of which are not designed or suited to be shared with faster and heavier traditional motor vehicles. Roads without infrastructure that separates users who are not protected by an enclosed vehicle or safety restraints (such as seatbelts), which includes the vast majority of users of powered micromobility devices, can lead to user conflicts and increase the risk of injury.

¹⁴ National Transportation Strategy, NPS (2025).

Another existing regulation that is relevant to the use of shared powered micromobility devices in System units is the NPS regulation at 36 CFR 5.3 (“Business operations.”), which prohibits anyone from conducting a business in a System unit except in accordance with a permit, contract or other written agreement with the United States.¹⁵ Companies that want to operate shared fleets of e-scooters (*e.g.*, Uber, Lyft, Bird, Lime) within System units must obtain written authorization to do so under this regulation. The NPS has several types of instruments that it uses to authorize business operations in System units, which contain terms and conditions governing how the business may be operated in System units, including commercial use authorizations (CUAs) and concession contracts (the latter which are further governed by NPS regulations at 36 CFR Part 51). To the extent the NPS determines the operation of a shared fleet of scooters may occur in a particular System unit, the NPS will manage such operation through the laws and policies that apply to those instruments, and the terms and conditions of those instruments when they are issued to the business. By comparison, this final rule establishes rules governing the use of a powered micromobility device by the operator in the same way, whether the device is owned by the operator or rented from a company authorized to do business in the System unit.

Final Rule.

This final rule defines powered micromobility devices separately from motor vehicles, bicycles, electric bicycles, and human powered coasting devices. This final rule establishes a distinct management framework for where powered micromobility devices are allowed in System units. This framework provides flexibility to superintendents who believe that powered micromobility devices can be used by visitors and managed by the NPS in certain locations.

¹⁵ NPS regulations in 36 CFR part 13, subpart E address visitor services provided within park areas in Alaska and have a similar requirement for prior written authorization.

The final rule defines a “powered micromobility device” as a human-operated, self-propelled device with a curb weight of less than 150 pounds and without an internal combustion engine. The definition states that powered micromobility devices do not include an electric bicycle, motorized wheelchair, snowmobile, vessel, or motor vehicle (as those terms are defined in 36 CFR 1.4), or a non-bicycle coasting device that is solely human powered (as that term is defined by this final rule). The NPS intends the definition to include devices that are capable of self-propulsion even if they also may be propelled with human power. For example, the NPS intends the definition to include e-scooters that are primarily moved by an electric motor, even if they also may be propelled by kicking. The definition has a higher maximum weight (150 pounds) than the typical weight for powered micromobility devices (less than 50 pounds) in order to include heavier devices such as Segways and adaptive devices designed for individuals with disabilities.¹⁶ Even though they are heavier than most powered micromobility devices, these devices are typically smaller and slower than traditional motor vehicles and are used similarly to lighter powered micromobility devices. One hundred and fifty pounds is well within range of the definition established by the Society of Automotive Engineers for powered micromobility vehicles, which includes devices weighing up to 500 pounds.¹⁷ If powered micromobility devices above a certain weight would cause unacceptable impacts to resources or visitors, the final rule authorizes the superintendent to limit the maximum weight of powered micromobility devices below 150 pounds if necessary.

The definition excludes all devices with an internal combustion engine. In practice, most devices with an internal combustion engine would not qualify under the

¹⁶ Although the definition of powered micromobility devices is designed to include these devices, this rule does not directly address or have any effect on the applicability of Federal law and policy governing the use of mobility aids and devices by people with disabilities. Current NPS policy addressing this topic is found in Director’s Order #42: Accessibility of National Park Service Facilities, Programs, Services, and Activities.

¹⁷ Society of Automotive Engineers Taxonomy and Classification of Powered Micromobility Vehicles J3194_201911 issued November 20, 2019

definition because they weigh more than 150 pounds. Even the lightest versions, such as golf carts and mopeds, weigh at least 200 pounds and some can weigh more than 1,000 pounds.¹⁸ Although most devices with internal combustion engines are excluded from the definition due to weight, the final rule excludes all such devices from the definition due to their potential to cause adverse impacts to resources, including wildlife, caused by engine noise and exhaust.¹⁹

Under the definition, powered micromobility devices have a weight limit but no size limit. This gives superintendents the flexibility to allow larger than normal powered micromobility devices in locations that can accommodate their use. Neither does the definition limit powered micromobility devices by maximum capable speed. The final rule states that the regulations in 36 CFR 4.21 apply to the use of powered micromobility devices. These regulations set baseline speed limits on roads and apply to motor vehicles, traditional bicycles, and electric bicycles, but also give the superintendent the discretion to designate different speed limits if the baseline limits are unreasonable, unsafe, or inconsistent with the purposes of the System unit. Under this final rule, superintendents also have the authority to establish speed limits for powered micromobility devices off roads that are suitable for each designated location as a condition of use.

The NPS believes that defining powered micromobility devices by weight and engine type is sufficient because these characteristics are strongly correlated to potential for the device to cause impacts to resources and visitors. Weight and speed are the primary factors that determine the amount of kinetic energy transferred in a collision, which correlates to the severity of injuries caused by the collision;²⁰ and internal

¹⁸ Sandt, L. (October 2019). The basics of micromobility and related motorized devices for personal transport. Pedestrian and Bicycle Information Center: Chapel Hill, NC.

¹⁹ See Glen Canyon National Recreation Area Off-road Vehicle Management Plan / Final Environmental Impact Statement, Chapter 3: Affected Environment, January 2017.

²⁰ Kumfer, *et al.* Speed, Kinetic Energy, and the Safe Systems Approach to Safer Roadways, ITE Journal, April 2019.

combustion engines produce engine noise and exhaust that have the potential to cause adverse impacts to resources, including wildlife.

The final rule prohibits the use of powered micromobility devices in System units except in designated locations. The final rule requires rulemaking before powered micromobility devices are allowed in locations that have never been improved by artificial or processed materials. Artificial or processed materials include gravel, asphalt, concrete, steel rail lines, wood boards, soil cement, and resin-based material. Other locations that now or in the past have been improved by artificial or processed materials, such as park roads, parking areas, administrative roads, natural surface trails on old rail lines, and paved and gravel sidewalks and paths, can be designated by the superintendent after notice is provided using one or more of the methods listed in 36 CFR 1.7, including by listing all designated locations in the superintendent's compendium for the System unit. The superintendent's compendium is a written compilation of management actions about visitor use in a System unit that must be made available to the public.

Superintendents can designate these other locations without rulemaking, except that rulemaking is required if the designation would be highly controversial or otherwise significant using the criteria in paragraph (b) of 36 CFR 1.5.²¹ The rulemaking requirements in this rule would ensure public involvement in decision-making that has more potential for impacts to park resources, values, and visitors, or when stakeholders such as gateway communities have strong viewpoints about potential designations.

Except for administrative actions taken by the NPS in limited circumstances, the Wilderness Act prohibits mechanical transport in wilderness areas designated by Congress. 16 U.S.C. 1133(c). Accordingly, the final rule prohibits possessing a powered

²¹ Rulemaking is required for an action "which is of a nature, magnitude and duration that will result in a significant alteration in the public use pattern of the park area, adversely affect the park's natural, aesthetic, scenic or cultural values, require a long-term or significant modification in the resource management objectives of the unit" 36 CFR 1.5(b).

micromobility device in a wilderness area established by Federal statute, unless otherwise allowed under Federal law. The same prohibition applies to bicycles and electric bicycles under NPS regulations at 36 CFR 4.30. Superintendents do not have the authority to override this prohibition by designating locations in wilderness using the superintendent's compendium.

The final rule authorizes the superintendent to establish restrictions, conditions, and closures for the use of powered micromobility devices in designated locations. Superintendents can tailor these actions to the characteristics of the designated locations to minimize impacts to resources and other visitors. For example, superintendents can limit the size of powered micromobility devices on narrow sidewalks or require users to park powered micromobility devices in locations away from sensitive resources or public rights-of-way. As another example, superintendents can limit the speed of powered micromobility devices to help reduce the number of crashes. And as a final example, superintendents can decide that only certain types of micromobility devices (*e.g.*, e-scooters) are allowed in certain locations.

The final rule states that the use of powered micromobility devices is governed by State and local law unless addressed by regulations in the final rule or by restrictions, conditions, or closures established by the Superintendent. State and local laws address topics such as time of use, age limits, speed limits, helmets, and driver's license requirements.²² Adopting non-conflicting State law promotes consistency with rules promulgated by State and local governments for the use of powered micromobility devices in their jurisdictions. At the same time, the NPS has the authority to preempt State or local laws in order to maintain responsibility for the management of System units in accordance with Federal laws and policies.

The final rule states that the use of powered micromobility devices is subject to

²² Blickstein, S. *et al.* (December 2019). E-Scooter Programs: Current State of Practice in US Cities.

certain existing regulations that apply to the use of bicycles and electric bicycles. These regulations appear in §§ 4.12 (Traffic control devices), 4.13 (Obstructing traffic), 4.20 (Right of way), 4.21 (Speed limits), 4.22 (Unsafe operation), 4.23 (Operating under the influence of alcohol or drugs), and 4.30(h)(3) through (5) (Operating during periods of low visibility, abreast of another bicycle, and with an open container of alcohol).

Finally, the final rule defines the term “coasting device” and revises 36 CFR 2.20 to clarify that the regulations in section 2.20 apply to roller skates, skateboards, roller skis, scooters, or similar wheeled devices that are propelled solely by human power, except a bicycle. This eliminates any potential for confusion about whether powered micromobility devices are subject to the regulations in § 2.20.

Summary of public comments.

The NPS published a proposed rule in the *Federal Register* on January 16, 2025 (90 FR 4701). The NPS accepted public comments for 60 days via the mail, hand delivery, and the Federal eRulemaking Portal at <https://www.regulations.gov>. Comments were accepted through March 17, 2025. The NPS received 63 comments on the proposed rule. Some commenters expressed support for the use of powered micromobility devices on public roads and parking areas and concerns about safety, environmental impacts, and diminished visitor enjoyment if they are allowed in other locations. Several commenters supported the rule conditioned upon superintendents carefully evaluating appropriate locations for the use of powered micromobility devices. These commenters also highlighted the need for strong enforcement of rules governing the use of powered micromobility devices to protect visitors and resources. Several commenters, including companies that rent fleets of powered micromobility devices and accessibility advocates, stated that the rule had potential to reduce car traffic and emissions, enhance accessibility, and provide sustainable transportation options in urban park areas. After considering public comments and additional review of the proposed rule, the NPS did not

make any substantive changes in the final rule. Revisions have clarified that this rule (36 CFR 4.32) is the operative authority for designating locations for the use of powered micromobility devices, and for the superintendent to establish restrictions, conditions, and closures. Another revision has clarified that rulemaking is not required for terrain that now or in the past has been improved by artificial or processed materials, including materials derived from natural products, such as wood planks or resin-based soil. Rulemaking is not required even for locations that have a natural surface at present, but in the past were altered or improved artificial materials, such as a trail located on top of an old rail line. A summary of the pertinent issues raised by commenters and NPS responses are provided below:

1. Comment: Several commenters asked the NPS to limit the discretion given to superintendents to determine where powered micromobility devices may be used. Below are some of the ways these commenters proposed the NPS should categorically manage the use of powered micromobility devices:

- Ban all use.
- Prohibit recreational use; allow use only by persons with disabilities to enhance accessibility.
- Limit use to roads or bicycle lanes on roads.
- Limit use to hardened surfaces.
- Prohibit use in pedestrian areas and on hiking trails.
- Limit use to pathways open to bicycle use.
- Limit use to trails designated exclusively for their use.
- Limit use to sufficiently wide, paved paths.
- Limit use to frontcountry and developed areas.

NPS Response: The varied and diverse approaches suggested by the commenters demonstrates how difficult it would be to establish categorical rules at the national level

for where powered micromobility devices may be used. This rule establishes a regulatory framework for making such decisions on a case-by-case basis. This will allow the NPS to consider the unique circumstances of each proposed use case. National Park System units vary significantly in terms of the criteria that will influence decisions about the use of powered micromobility devices. These criteria include the System unit's enabling legislation, its resources and values, and conditions affecting visitor enjoyment and safety. Unless they are prohibited by Federal statute, categorically banning powered micromobility devices in certain circumstances or locations could prevent visitors from using these devices to access and enjoy park areas without any opportunity for the NPS to evaluate whether such use is appropriate. This rule creates two pathways for allowing the use of powered micromobility devices that are tailored to the potential for impacts to resources and visitors. Superintendents should understand park conditions, visitor use patterns, and the perspective of gateway communities and other stakeholders and therefore are in the best position to determine whether and where powered micromobility devices should be allowed. This rule requires an additional level of public engagement before powered micromobility devices are allowed in locations that have never been improved by artificial or processed materials, where resource impacts and risks to visitor safety could be greater than in other locations. Rulemaking also will be required if decisions to allow powered micromobility devices in a particular locations would be highly controversial or otherwise significant using the criteria in 36 CFR 1.5(b).

2. *Comment:* Several commenters raised safety concerns and highlighted the potential for visitor conflicts if powered micromobility devices are allowed on overcrowded walkways in popular areas of a park.

NPS Response: The NPS appreciates these concerns about visitor safety and conflict, particularly in high-use areas and among vulnerable populations such as children, seniors, and individuals with disabilities. The NPS is committed to ensuring that

visitors safely enjoy park areas. The NPS strives to maintain an atmosphere that is open, inviting, and accessible to all American citizens. In order to ensure that potential impacts to visitors are considered in every case, this rule requires superintendents or the NPS through rulemaking to make an affirmative decision to allow powered micromobility devices in any location. This will ensure that powered micromobility devices will not be allowed without consideration of whether their use would be inappropriate or unsafe, including in crowded areas or on trails and pathways not designed or capable of handling them alongside pedestrians and other user groups. In locations where they are allowed, superintendents may establish restrictions, conditions, and closures for the use of powered micromobility devices to promote visitor safety, such as limiting speed, size, or weight, or restricting use to certain times of day or seasons. In general, the NPS can manage visitor use conflicts through zoning that separates conflicting uses, temporal restrictions to reduce congestion, visitor education and signage to promote safe and respectful behavior, and monitoring and adaptive management to evaluate impacts and adjust strategies as needed. These tools can be applied to the use of powered micromobility devices if appropriate.

3. Comment: One commenter asked the NPS to prohibit powered micromobility devices on natural terrain backcountry areas.

NPS Response: The NPS understands that risks to visitor safety and resources may be greater when powered micromobility devices are used on natural terrain, particularly in backcountry areas that are more primitive and remote. This rule requires rulemaking before powered micromobility devices can be allowed in locations that have never been improved by artificial or processed materials, within developed areas or not. This will allow the NPS to make an informed decision about whether use in these locations would cause unacceptable impacts to visitors or resources. Distinguishing frontcountry and developed areas from backcountry and undeveloped areas can be

difficult, especially for System units without current land management use maps. A regulatory framework dependent upon making those distinctions could result in inconsistent decision-making about where powered micromobility devices are prohibited.

In general, the NPS does not expect this rule to result in significant changes to where and how powered micromobility devices are used in park areas compared to current conditions. Use of e-scooters and other powered micromobility devices is largely concentrated in System units located in urban areas with active e-scooter rental systems. Although superintendents will need to reconsider it under this rule, the NPS expects that many will decide to continue to allow existing or similar levels of use. This expectation is supported by the regulatory analysis of this rule referred to below.

4. Comment: Several commenters asked the NPS to prohibit the possession of powered micromobility devices in areas identified as “potential wilderness” through a formal planning process or study, even if those areas have not been established as wilderness by Federal statute. These commenters referred to NPS Management Policies Section 6.3.1 that requires the NPS to manage potential wilderness as wilderness and to take no action that would diminish the wilderness eligibility of an area possessing wilderness characteristics until the legislative process of wilderness designation has been completed.

NPS Response: The approach taken in this rule is consistent with how the NPS manages the use of traditional bicycles and electric bicycles in 36 CFR 4.30, which prohibits the possession of those devices in wilderness areas established by Federal statute. These provisions follow the text of the Wilderness Act, which prohibits mechanical transport in wilderness areas designated by Congress. 16 U.S.C. 1133(c). As such, this rule and the bicycle regulations are based upon the best reading of the underlying statutory prohibition, consistent with the direction given to Federal agencies in Executive Order 14219, “Ensuring Lawful Governance and Implementing the

President's 'Department of Government Efficiency' Deregulatory Initiative." This rule requires rulemaking before powered micromobility devices can be allowed in locations that have never been improved by artificial or processed materials. This will provide ample opportunity for the NPS to consider the potential impacts of powered micromobility devices on wilderness character in accordance with applicable policy

5. *Comment:* One commenter suggested the rule require the preparation of an environmental assessment (EA) or an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA) before a superintendent can designate natural surface trails for powered micromobility use.

NPS Response: NEPA requires all Federal agencies, including the NPS, to evaluate the potential environmental impacts of major Federal actions before carrying out those actions. As an alternative to the preparation of an EA or EIS, a Federal agency can determine that the proposed action falls within a category of actions that normally does not have a significant effect on the human environment, eliminating the need for an EA or EIS. This is referred to as a categorical exclusion (CE). This rule does not address what form of NEPA compliance (EIS, EA, or CE) is required before a superintendent can designate natural surface trails for powered micromobility use, and therefore allows the NPS to comply with NEPA using any allowable method, including a CE when appropriate. This approach will allow the NPS to manage its resources and allocate taxpayer funds more efficiently and will streamline the approval of new opportunities for public access and recreation in compliance with Federal law. By contrast, requiring the NPS to prepare an EA or EIS before a superintendent can designate natural surface terrain for powered micromobility use would preclude the NPS from using a valid compliance pathway under NEPA. This could lead to unnecessary delays and reviews that are disproportionate to the potential environmental impacts of allowing powered micromobility devices on natural surface trails within a park area. Allowing the NPS to

apply NEPA as Congress intended makes this rule consistent with the direction given to Federal agencies in Executive Order 14219, “Ensuring Lawful Governance and Implementing the President’s ‘Department of Government Efficiency’ Deregulatory Initiative” to ensure that regulations are based on the best reading of the underlying statutory authority or prohibition.

6. *Comment:* One commenter stated the term "micromobility device" can be misleading by suggesting that powered micromobility devices are designed primarily for people with mobility impairments. This commenter suggested a different term, such as "micro-transport devices," to better reflect their purpose and avoid confusion.

NPS Response: The term “micromobility” is recognized and used in transportation and regulatory contexts to describe small, lightweight, typically low-speed devices, such as e-scooters, that are used by the general population and not exclusively or primarily by persons with disabilities. The definition of a “powered micromobility device” in this rule does not refer to user groups or types of operators, reflecting the use of these devices by the general population for a variety of purposes.

While these devices can improve accessibility, the term powered micromobility device in this rule does not have the same meaning as the term “other power-driven mobility device” (OPDMD) as that term is used by the U.S. Department of Justice in guidance implementing the Americans with Disabilities Act of 1990. This rule does not address whether the NPS must allow persons with disabilities to use OPDMDs in NPS facilities within park areas, which requires an evaluation of whether the OPDMD cannot be accommodated due to legitimate safety requirements. Superintendents will make these determinations on a case-by-case basis with assistance from the NPS Accessibility Program, which can be reached by email at accessibility@nps.gov. Further guidance about accessibility within park areas can be found in Director’s Order #42: Accessibility

of National Park Service Facilities, Programs, Services, and Activities for NPS, available on the NPS policy website at <https://www.nps.gov/policy>.

7. Comment: One commenter asked whether emerging over-the-snow electric propulsion technologies such as electric-skis (e-skis) fall within the scope of the rule.

NPS Response: Snowmobiles are defined separately in NPS regulations under 36 CFR 1.4 and are explicitly excluded from the scope of this rule in the definition of “powered micromobility device.” This rule will apply to other over-the-snow devices powered by electric propulsion, including electric skis, provided their characteristics meet the requirements in the definition of “powered micromobility device.”

8. Comment: One commenter asked the NPS clarify the applicability of this rule to non-federal lands.

NPS Response: The applicability and scope of NPS regulations are defined in 36 CFR 1.2, which explains the circumstances in which NPS regulations apply on non-federal lands within park areas.

9. Comment: One commenter asked the NPS to modify its permitting processes and standards for shared fleet services to be consistent with those used by the District of Columbia Department of Transportation (DDOT) and to harmonize rules for the operation of powered micromobility devices to be consistent between jurisdictions.

NPS Response: The NPS will continue to follow Federal statutory authorities and implementing regulations and guidance for the authorization of business operations in park areas when considering whether to authorize the operation of shared fleets of powered micromobility devices in a park area. The NPS works closely with DDOT to address emerging transportation trends and innovations with the District of Columbia. Shared information and strategies can help inform requests for proposals, permitting and contracting decisions, and applicable terms and conditions for business operations consistent with Federal law. Unless addressed by NPS regulations or restrictions,

conditions, or closures established by the superintendent, this rule adopts state law for the use of powered micromobility devices in park areas. Adopting non-conflicting state law promotes a consistent regulatory framework that makes it easier for the public to understand what rules apply to the use of these devices across different jurisdictions.

10. Comment: Several commenters expressed concern about the management of shared powered micromobility devices within park areas, in particular the need to address improper parking, abandonment when batteries lose charge (especially in remote areas), and negative impacts to scenic views and the visitor experience.

NPS Response: Businesses operating fleets of shared powered micromobility devices in park areas must do so pursuant to the terms and conditions of a written authorization from the NPS, such as a concession contract or CUA. These terms and conditions can be crafted to mitigate potential impacts to visitors and resources within park areas. The NPS can require business operators to submit detailed operations plans covering equipment maintenance, inspection schedules, and safe handling of batteries. The NPS can require immediate reporting of incidents involving powered micromobility devices, such as crashes, battery leaks, or charging issues. The NPS can identify corrals where e-scooters can be parked to keep sidewalks and trails clear. The NPS can require business operators to establish geofences that restrict the use of devices in certain locations, penalize users for parking or abandoning devices outside of defined areas, and use fee structures to incentivize users to return their devices to corrals. While NPS manages business operators through the terms and conditions of written instruments, this rule establishes requirements that apply to the users of powered micromobility devices and allows the superintendent to establish restrictions, conditions, and closures on their use, all of which can mitigate impacts to resources and visitors.

11. Comment: One commenter raised concerns about installing charging stations for powered micromobility devices in natural areas.

NPS response: Although charging infrastructure may be necessary to support the use of powered micromobility devices, installing such facilities is outside the scope of this rule. If it becomes necessary, the installation of a charging station within a park area will be subject to established planning, environmental compliance, and permitting processes to ensure that installations are carefully evaluated for potential impacts to natural resources.

12. Comment: One commenter recommended the NPS pursue concession contracts or CUAs with business that operate fleets of powered micromobility devices whenever powered micromobility devices are allowed within a System unit.

NPS Response: National Park System units are guided by foundation documents and a planning portfolio, which include a range of tools such as visitor use studies and Commercial Services Strategies (CSS). These tools help the NPS assess current and future visitor needs and determine the appropriate role of commercial operators in meeting those needs. The CSS process, in particular, allows the NPS to evaluate whether existing management plans support new or expanded services and to conduct market research to inform decisions about commercial visitor services in park areas. Statutory and regulatory criteria also inform these decisions. See, e.g., 54 U.S.C. 101911 - 24 and 36 CFR part 51 for concession contracts and 54 U.S.C. 101925 for CUAs. The NPS will use these processes and applicable legal frameworks to determine whether the use of powered micromobility devices should be offered as a commercial visitor service in a System unit.

The NPS continuously works to improve visitor services in park areas in order to enhance the visitor experience. On September 9, 2025, the NPS published a request for information (RFI) in the Federal Register (90 FR 43472), seeking comments and information from the public to identify improvements that could be made to visitor services in parks, including more efficient ways to deliver and manage those services.

The comment period for the RFI closed on October 9, 2025. This RFI was part of the Department of the Interior's implementation of Executive Order 14314, which directs the Secretary of the Interior to take steps to improve services for U.S. residents visiting National Park System units. The NPS will consider the comments received from the RFI as it continues to find ways to promote meaningful experiences for park visitor through greater understanding, access, and enjoyment of America's natural, cultural, historical, and recreational treasures.

13. Comment: Several commenters questioned the NPS's ability to effectively regulate the speed of powered micromobility devices, with one commenter suggesting a 20 mph speed limit on roads and a 10 mph speed limit on paved paths.

NPS Response: This rule allows superintendents to establish speed limits for powered micromobility devices that are reasonable, safe, and consistent with the purposes of the System unit. See 36 CFR 4.21. In addition to establishing and enforcing speed limits, the design and capability of powered micromobility devices and other technology can mitigate potential impacts from unsafe speed. Most powered micromobility devices are designed to travel at or below 20 mph, and many rental and shared fleets are equipped with speed governors or geofencing capabilities that automatically disengage the motor when certain speeds are reached.

14. Comment: Some commenters expressed concerns about the potential environmental impacts of powered micromobility devices on park resources, in particular, impacts to the soundscape, increased trail erosion, and wildlife disturbance.

NPS Response: Preserving park resources for the enjoyment of this and future generations of American citizens is the central mission of the NPS. The framework of this rule is designed to ensure the NPS considers potential impacts to resources before powered micromobility devices are allowed in any location. This rule requires increased levels of public engagement for decisions about use of powered micromobility devices

that have more potential for adverse impacts to resources. If superintendents choose to allow the use of powered micromobility devices, they have authority to establish restrictions, conditions, and closures to mitigate potential and observed impacts to resources. Decisions to allow use will be subject to compliance with applicable laws including NEPA. These factors will work together to ensure that the use of powered micromobility devices will not cause unacceptable impacts to park resources, while creating opportunities for access, recreation, and enjoyment for the American public.

15. Comment: One commenter suggested the NPS require users of powered micromobility devices to alert others upon approach to prevent accidents.

NPS Response: This rule applies several requirements to the use of powered micromobility devices that apply to the use of motor vehicles and bicycles (including e-bikes), all of which will help ensure safe and responsible use of shared facilities such as roads, paths, and trails. These include requirements to (1) yield the right of way to pedestrians and saddle animals (36 CFR 4.20); (2) avoid operation without due care or at an unreasonable speed (36 CFR 4.22); (3) have functioning white and red lights or reflectors when operating at night (36 CFR 4.30(h)(3)); and (4) avoid operation abreast of another device except where authorized by the superintendent (36 CFR 4.30(h)(4)). The rule allows the superintendent to establish other restrictions and conditions designed to prevent conflicts among user groups, which might include a requirement to alert others when approaching.

16. Comment: One commenter proposed categorizing powered micromobility devices by width, weight, or maximum speed, to help superintendents determine where each category should be allowed.

NPS Response: Unlike e-bikes, for example, which had an industry-accepted classification system prior to the NPS regulations, there is no such system in place for powered micromobility devices. This rule gives superintendents the discretion to

determine whether specific types of powered micromobility devices may be used based upon appropriate criteria, such as resource conditions, facility design and capability, and visitor use patterns. Superintendents may decide to limit the types of powered micromobility devices that can be used in specific locations based upon size or maximum speed if that would be appropriate given the circumstances.

Compliance with Other Laws, Executive Orders and Department Policy.

Regulatory Planning and Review (Executive Orders 12866 and 14192)

This rule has been determined to be not significant for purposes of Executive Order 12866. This rule is an E.O. 14192 deregulatory action. The NPS prepared a cost-benefit analysis for this rule that concluded cost savings will exceed quantified costs. This report may be viewed in the docket for this rulemaking action by visiting <https://www.regulations.gov/> and searching for “RIN 1024-AE79”. The cost-benefit analysis in that report remains valid for the final rule because no substantive changes were made from the proposed rule to the final version.

Regulatory Flexibility Act (5 U.S.C. 601 et seq.)

This final rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.). This certification is based on information contained in the economic analyses found in the report entitled “Regulatory Analysis of the Powered Micromobility Devices at National Park System Units Proposed Rule.” The report may be viewed in the docket for this rulemaking action by visiting <https://www.regulations.gov/> and searching for “RIN 1024-AE79”. The certification in that report remains valid for the final rule because no substantive changes were made from the proposed rule to the final version.

Congressional Review Act

This final rule is not a major rule under 5 U.S.C. 804(2). This final rule:

- (a) Does not have an annual effect on the economy of \$100 million or more.

(b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act (2 U.S.C. 1501 et seq.)

This final rule does not impose an unfunded mandate on State, local, or Tribal governments or the private sector of more than \$100 million per year. The final rule does not have a significant or unique effect on State, local, or Tribal governments, or the private sector. It addresses public use of lands administered by the NPS and imposes no requirements on other agencies or governments. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

Takings (E.O. 12630)

This final rule does not effect a taking of private property or otherwise have takings implications under E.O. 12630. A takings implication assessment is not required.

Federalism (E.O. 13132)

Under the criteria in section 1 of E.O. 13132, the final rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. This final rule only affects the use of federally administered lands. It has no direct effects on other areas. A federalism summary impact statement is not required.

Civil Justice Reform (E.O. 12988)

This final rule complies with the requirements of E.O. 12988. This final rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in

clear language and contain clear legal standards.

Consultation with Indian Tribes (E.O. 13175 and Department Policy)

The Department of the Interior strives to strengthen its government-to-government relationship with Indian Tribes through a commitment to consultation with Indian Tribes and recognition of their right to self-governance and Tribal sovereignty. The NPS has evaluated this final rule under the criteria in E.O. 13175 and under the Department's Tribal consultation policy and has determined that Tribal consultation is not required because the final rule will have no substantial direct effect on federally recognized Indian Tribes.

Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)

This final rule contains no new information collections. All information collections require approval under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). The NPS may not conduct or sponsor, and you are not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number.

National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 et seq.)

This final rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the National Environmental Policy Act of 1969 (NEPA) is not required because the final rule is covered by a categorical exclusion. The final rule does not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA. The NPS has determined the final rule is categorically excluded under DOI NEPA Handbook (February 2026), Appendix 2, 12.5 D.4, which covers minor changes in programs and regulations pertaining to visitor use activities. The NPS has documented the application of this CE to this final rule.

Compared to the existing regulations, including regulations in 36 CFR 4.10 that

apply to motor vehicles (and to powered micromobility devices at present), this final rule makes four changes to existing regulations. As explained below, however, not all of these changes will result in environmental effects, and the changes that will result will be minor.

First, the final rule changes the default rules for the use of powered micromobility devices on park roads and parking areas. The rule allows superintendents to open park roads and parking areas to the use of powered micromobility devices, but only if they designate such locations for the use of powered micromobility devices in the superintendent's compendium. Under the existing regulations that apply to motor vehicles, by contrast, powered micromobility devices are allowed on park roads and parking areas by default.

Second, the final rule creates regulatory pathways by which the NPS can decide to allow powered micromobility devices off roads and parking areas in any System unit. The existing regulations that apply to motor vehicles do not have a regulatory pathway to allow powered micromobility devices off roads and parking areas in System units other than national recreation areas, national seashores, national lakeshores and national preserves. This change does not by itself result in any immediate environmental effects, but rather establishes procedures by which the NPS can take action in future, following appropriate review.

Third, on terrain that now or in the past has been improved by artificial or processed materials in situations that do not meet the criteria for rulemaking in 36 CFR 1.5(b), the final rule confers on superintendents discretion to allow powered micromobility devices by designation in the superintendent's compendium, without rulemaking. Under the existing regulations that apply to motor vehicles, superintendents have no authority to allow powered micromobility devices off roads and parking areas because such actions require notice-and-comment rulemaking. The scope of this change

is limited, however, by application of the criteria in 36 CFR 1.5(b) to discretionary actions taken by the superintendent under this final rule, with the result that notice-and-comment rulemaking will be required for actions that are highly controversial or meet other regulatory criteria. To the extent that designating artificially improved surfaces for the use of powered micromobility devices would trigger this rulemaking requirement, then the procedural result would be the same as baseline conditions which require rulemaking in every case. Even where this requirement is not triggered, however, this change does not by itself result in any immediate environmental effects, but rather establishes procedures by which superintendents can take action in future, following appropriate review.

Fourth, the final rule defines coasting devices for clarity. This change results in no changes to visitor use under existing regulations.

As explained in the CE documentation prepared for this rule, these changes are minor, and do not have the potential to result in significant environmental effects. The first of these four changes, prohibiting by default the use of powered micromobility devices on park roads and parking areas, may result in minor shifts in use of the devices in these locations where they have been allowed, until and unless superintendents complete the required process to allow such use. This immediate change in use will be minor because most users of powered micromobility devices in urban areas (where the majority of such use occurs in System units) prefer to ride on sidewalks or in protected bicycle lanes, rather than on roads that are used by motor vehicles. The remaining changes in regulations described above would not result in immediate changes in the use of powered micromobility devices, but rather, would create procedures by which such use could be authorized in future. Such future authorizations would depend on separate actions taken by the NPS, and would be subject to separate NEPA and other compliance. Any effects from these future actions are outside the scope of this rulemaking for NEPA

purposes.

Effects on the Energy Supply (E.O. 13211)

This final rule is not a significant energy action under the definition in E.O. 13211; the final rule is not likely to have a significant adverse effect on the supply, distribution, or use of energy, and the final rule has not otherwise been designated by the Administrator of Office of Information and Regulatory Affairs as a significant energy action. A statement of energy effects is not required.

List of Subjects

36 CFR Part 1

National parks, Penalties, Reporting and recordkeeping requirements, Signs and symbols.

36 CFR Part 2

Environmental protection, National parks, Reporting and recordkeeping requirements.

36 CFR Part 4

National Parks, Traffic regulations.

In consideration of the foregoing, the National Park Service proposes to amend 36 CFR parts 1, 2, and 4 as set forth below:

PART 1—GENERAL PROVISIONS

1. The authority citation for part 1 continues to read as follows:

Authority: 54 U.S.C. 100101, 100751, 320102.

2. Amend § 1.4 in paragraph (a) by:

- a. Adding, in alphabetical order, the definition for “Coasting device”;
- b. Revising the definition for “Motor vehicle”;
- c. Adding, in alphabetical order, the definition for “Powered micromobility device”.

The additions and revision read as follows:

§ 1.4 What terms do I need to know?

(a) * * *

Coasting devices means roller skates, skateboards, roller skis, scooters, or similar wheeled devices that are propelled solely by human power, except a bicycle.

* * * * *

Motor vehicle means every vehicle that is self-propelled and every vehicle that is propelled by electric power, but not operated on rails or water, except an electric bicycle, a snowmobile, a powered micromobility device, and a motorized wheelchair.

* * * * *

Powered micromobility device means a human-operated, self-propelled device with a curb weight of less than 150 pounds and without an internal combustion engine. This definition does not include an electric bicycle, motorized wheelchair, snowmobile, vessel, motor vehicle, or coasting device.

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PART 2—RESOURCE PROTECTION, PUBLIC USE AND RECREATION

3. The authority citation for part 2 continues to read as follows:

Authority: 54 U.S.C. 100101, 100751, 320102.

4. Revise § 2.20 to read as follows:

§ 2.20 Skating, skateboards, and similar devices.

Using coasting devices is prohibited, except in designated areas.

PART 4—VEHICLES AND TRAFFIC SAFETY

5. The authority citation for part 4 continues to read as follows:

Authority: 54 U.S.C. 100101, 100751, 320102.

6. Add § 4.32 to read as follows:

§ 4.32 Powered micromobility devices.

(a) Operating a powered micromobility device is prohibited except in designated locations. Locations must be designated by rulemaking in the Federal Register when the

designation would meet the criteria in paragraph (b) of § 1.5 of this chapter. Rulemaking in the Federal Register also is required before powered micromobility devices are allowed in locations that have never been improved by artificial or processed materials. Artificial or processed materials include, but are not limited to, gravel, asphalt, concrete, steel rail lines, wood boards, soil cement, and resin-based material. Other locations, such as park roads, parking areas, administrative roads, and paved and gravel sidewalks and paths, may be designated by the superintendent after notice is provided using one or more of the methods listed in § 1.7 of this chapter.

(b) A superintendent may restrict or impose conditions on powered micromobility use, or may close any location to powered micromobility use, after:

(1) Taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives; and

(2) Notifying the public using one or more methods listed in § 1.7 of this chapter.

(c) Unless addressed by regulations in this section or by restrictions, conditions, or closures established by the Superintendent, the use of powered micromobility devices is governed by State and local law.

(d) A person operating a powered micromobility device is subject to the following sections of this part that apply to bicycles and electric bicycles: §§ 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(3) through (5).

(e) Possessing a powered micromobility device in a wilderness area established by Federal statute is prohibited, unless otherwise allowed by Federal law.

Kevin J. Lilly,
Principal Deputy Assistant Secretary
Exercising the Delegated Authority of the Assistant Secretary for Fish and Wildlife and Parks.