

By: Raymond

H.B. No. 934

A BILL TO BE ENTITLED

AN ACT

relating to the operation of motor-assisted scooters.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 551.351(1), Transportation Code, is amended to read as follows:

(1) "Motor-assisted scooter":

(A) means a self-propelled device with:

(i) at least two wheels in contact with the ground during operation;

(ii) a braking system capable of stopping the device under typical operating conditions;

(iii) a gas motor with a displacement not exceeding 40 cubic centimeters or an electric motor with a power output not exceeding 2,000 watts [~~40 cubic centimeters~~];

(iv) a deck designed to allow a person to stand or sit while operating the device; and

(v) the ability to be propelled by human power alone; and

(B) does not include a pocket bike or a minimotorbike.

SECTION 2. The heading to Section 551.352, Transportation Code, is amended to read as follows:

Sec. 551.352. OPERATION ON ROADWAYS [~~OR SIDEWALKS~~].

SECTION 3. Section 551.352, Transportation Code, is amended

1 by amending Subsection (a) and adding Subsection (a-1) to read as  
2 follows:

3 (a) A person may operate a motor-assisted scooter [~~may be~~  
4 ~~operated only~~] on a street or highway only:

5 (1) in a bicycle lane; or

6 (2) on a street or highway without a bicycle lane if:

7 (A) [~~for which~~] the posted speed limit is 30 [~~35~~]  
8 miles per hour or less; and

9 (B) the operator complies with Section 551.103,  
10 regardless of whether the operator is moving slower than the other  
11 traffic on the roadway.

12 (a-1) A [~~The~~] motor-assisted scooter on a street or highway  
13 without a bicycle lane may cross a highway [~~road~~] or street at an  
14 intersection where the highway [~~road~~] or street has a posted speed  
15 limit of more than 30 [~~35~~] miles per hour.

16 SECTION 4. Sections 551.352(b) and (c), Transportation  
17 Code, are redesignated as Section 551.354, Transportation Code, and  
18 amended to read as follows:

19 Sec. 551.354. LOCAL AND DEPARTMENT REGULATION. (a)  
20 [~~(b)~~] A county or municipality may:

21 (1) further restrict the speed at which a person may  
22 operate a motor-assisted scooter;

23 (2) further restrict the locations a person may  
24 operate a motor-assisted scooter;

25 (3) impose a minimum age requirement for the operator  
26 of a motor-assisted scooter;

27 (4) impose a higher criminal or civil penalty for a

1 violation of a traffic law by an operator of a motor-assisted  
2 scooter;

3 (5) restrict the locations a person may park a  
4 motor-assisted scooter;

5 (6) require the operator of a motor-assisted scooter  
6 to wear a safety helmet; or

7 (7) prohibit the operation of a motor-assisted scooter  
8 on a street, highway, or sidewalk if the governing body of the  
9 county or municipality determines that the prohibition is necessary  
10 in the interest of safety.

11 (b) [~~(c)~~] The department may prohibit the operation of a  
12 motor-assisted scooter on a highway if it determines that the  
13 prohibition is necessary in the interest of safety.

14 SECTION 5. Section 551.352(d), Transportation Code, is  
15 redesignated as Sections 551.3521 and 551.3522, Transportation  
16 Code, and amended to read as follows:

17 Sec. 551.3521. OPERATION ON SIDEWALKS AND OTHER AREAS  
18 PRIMARILY FOR NONMOTORIZED TRAFFIC. [~~(d)~~] A person may operate a  
19 motor-assisted scooter on a path set aside primarily for the use of  
20 nonmotorized traffic, including [~~exclusive operation of bicycles~~  
21 ~~or on~~] a sidewalk.

22 Sec. 551.3522. APPLICABILITY OF BICYCLE AND MOTOR VEHICLE  
23 LAWS. (a) Except as otherwise provided by this subchapter  
24 [~~section~~], a provision of this title applicable to the operation of  
25 a bicycle applies to the operation of a motor-assisted scooter.

26 SECTION 6. Section 551.352(e), Transportation Code, is  
27 transferred to Section 551.3522, Transportation Code, as added by

1 this Act, and redesignated as Section 551.3522(b), Transportation  
2 Code, to read as follows:

3 (b) [~~(e)~~] A provision of this title applicable to a motor  
4 vehicle does not apply to a motor-assisted scooter.

5 SECTION 7. Subchapter E, Chapter 551, Transportation Code,  
6 is amended by adding Sections 551.355, 551.356, and 551.357 to read  
7 as follows:

8 Sec. 551.355. LIMITATION ON NUMBER OF RIDERS. A person may  
9 not use a motor-assisted scooter to carry more than one person.

10 Sec. 551.356. LIMITATION ON SPEED. A person may not operate  
11 a motor-assisted scooter at a speed that exceeds:

12 (1) 15 miles per hour if the person is standing; or

13 (2) 20 miles per hour if the person is seated.

14 Sec. 551.357. REQUIREMENT TO YIELD TO PEDESTRIANS. A  
15 person operating a motor-assisted scooter shall yield the  
16 right-of-way to a pedestrian.

17 SECTION 8. This Act takes effect September 1, 2021.