

1-1 By: Gutierrez, West (Senate Sponsor - Armbrister) H.B. No. 1997
1-2 (In the Senate - Received from the House May 2, 2003;
1-3 May 6, 2003, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 20, 2003, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 4,
1-6 Nays 0; May 20, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1997 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the regulation of electric personal assistive mobility
1-11 devices.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter F, Chapter 502, Transportation Code,
1-14 is amended by adding Section 502.2862 to read as follows:

1-15 Sec. 502.2862. ELECTRIC PERSONAL ASSISTIVE MOBILITY
1-16 DEVICES. The owner of an electric personal assistive mobility
1-17 device, as defined by Section 551.201, is not required to register
1-18 the electric personal assistive mobility device.

1-19 SECTION 2. Section 541.201(11), Transportation Code, is
1-20 amended to read as follows:

1-21 (11) "Motor vehicle" means a self-propelled vehicle or
1-22 a vehicle that is propelled by electric power from overhead trolley
1-23 wires. The term does not include an electric bicycle or an electric
1-24 personal assistive mobility device, as defined by Section 551.201.

1-25 SECTION 3. Section 547.001(7), Transportation Code, is
1-26 amended to read as follows:

1-27 (7) "Slow-moving vehicle" means:

1-28 (A) a motor vehicle designed to operate at a
1-29 maximum speed of 25 miles per hour or less, not including an
1-30 electric personal assistive mobility device, as defined by Section
1-31 551.201; or

1-32 (B) a vehicle, implement of husbandry, or
1-33 machinery, including road construction machinery, that is towed by:

1-34 (i) an animal; or
1-35 (ii) a motor vehicle designed to operate at
1-36 a maximum speed of 25 miles per hour or less.

1-37 SECTION 4. Section 551.001, Transportation Code, is amended
1-38 to read as follows:

1-39 Sec. 551.001. PERSONS AFFECTED. Except as provided by
1-40 Subchapter C, this [This] chapter applies only to a person
1-41 operating a bicycle on:

1-42 (1) a highway; or
1-43 (2) a path set aside for the exclusive operation of
1-44 bicycles.

1-45 SECTION 5. Chapter 551, Transportation Code, is amended by
1-46 adding Subchapter C to read as follows:

1-47 SUBCHAPTER C. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

1-48 Sec. 551.201. DEFINITION. In this subchapter, "electric
1-49 personal assistive mobility device" means a two non-tandem wheeled
1-50 device designed for transporting one person that is:

1-51 (1) self-balancing; and
1-52 (2) propelled by an electric propulsion system with an
1-53 average power of 750 watts or one horsepower.

1-54 Sec. 551.202. OPERATION ON ROADWAY. (a) A person may
1-55 operate an electric personal assistive mobility device on a
1-56 residential street, roadway, or public highway with a speed limit
1-57 of 30 miles per hour or less only:

1-58 (1) while making a direct crossing of a highway in a
1-59 marked or unmarked crosswalk;

1-60 (2) where no sidewalk is available; or

1-61 (3) when so directed by a traffic control device or by
1-62 a law enforcement officer.

1-63 (b) A person may operate an electric personal assistive

2-1 mobility device on a path set aside for the exclusive operation of
2-2 bicycles.

2-3 (c) Any person operating an electric personal assistive
2-4 mobility device on a residential street, roadway, or public highway
2-5 shall ride as close as practicable to the right-hand edge.

2-6 (d) Except as otherwise provided by this section,
2-7 provisions of this title applicable to the operation of bicycles
2-8 apply to the operation of electric personal assistive mobility
2-9 devices.

2-10 Sec. 551.203. SIDEWALKS. A person may operate an electric
2-11 personal assistive mobility device on a sidewalk.

2-12 SECTION 6. Section 601.002(5), Transportation Code, is
2-13 amended to read as follows:

2-14 (5) "Motor vehicle" means a self-propelled vehicle
2-15 designed for use on a highway, a trailer or semitrailer designed for
2-16 use with a self-propelled vehicle, or a vehicle propelled by
2-17 electric power from overhead wires and not operated on rails. The
2-18 term does not include:

- 2-19 (A) a traction engine;
 - 2-20 (B) a road roller or grader;
 - 2-21 (C) a tractor crane;
 - 2-22 (D) a power shovel;
 - 2-23 (E) a well driller; [~~or~~]
 - 2-24 (F) an implement of husbandry; or
 - 2-25 (G) an electric personal assistive mobility
- 2-26 device, as defined by Section 551.201.

2-27 SECTION 7. This Act takes effect September 1, 2003.

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