

1-1 By: Armbrister S.B. No. 1277
1-2 (In the Senate - Filed March 12, 2003; March 19, 2003, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 29, 2003, reported favorably by the following
1-5 vote: Yeas 3, Nays 1; April 29, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the regulation of electric personal assistive mobility
1-9 devices.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter F, Chapter 502, Transportation Code,
1-12 is amended by adding Section 502.2862 to read as follows:

1-13 Sec. 502.2862. ELECTRIC PERSONAL ASSISTIVE MOBILITY
1-14 DEVICES. The owner of an electric personal assistive mobility
1-15 device, as defined by Section 551.201, is not required to register
1-16 the electric personal assistive mobility device.

1-17 SECTION 2. Subdivision (11), Section 541.201,
1-18 Transportation Code, is amended to read as follows:

1-19 (11) "Motor vehicle" means a self-propelled vehicle or
1-20 a vehicle that is propelled by electric power from overhead trolley
1-21 wires. The term does not include an electric bicycle or an electric
1-22 personal assistive mobility device, as defined by Section 551.201.

1-23 SECTION 3. Subdivision (7), Section 547.001,
1-24 Transportation Code, is amended to read as follows:

1-25 (7) "Slow-moving vehicle" means:

1-26 (A) a motor vehicle designed to operate at a
1-27 maximum speed of 25 miles per hour or less, not including an
1-28 electric personal assistive mobility device, as defined by Section
1-29 551.201; or

1-30 (B) a vehicle, implement of husbandry, or
1-31 machinery, including road construction machinery, that is towed by:

1-32 (i) an animal; or

1-33 (ii) a motor vehicle designed to operate at
1-34 a maximum speed of 25 miles per hour or less.

1-35 SECTION 4. Section 551.001, Transportation Code, is amended
1-36 to read as follows:

1-37 Sec. 551.001. PERSONS AFFECTED. Except as provided by
1-38 Subchapter C, this [This] chapter applies only to a person
1-39 operating a bicycle on:

1-40 (1) a highway; or

1-41 (2) a path set aside for the exclusive operation of
1-42 bicycles.

1-43 SECTION 5. Chapter 551, Transportation Code, is amended by
1-44 adding Subchapter C to read as follows:

1-45 SUBCHAPTER C. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

1-46 Sec. 551.201. DEFINITIONS. In this subchapter, "electric
1-47 personal assistive mobility device" means a two-non-tandem-wheeled
1-48 device designed for transporting one person that is:

1-49 (1) self-balancing; and

1-50 (2) propelled by an electric propulsion system with an
1-51 average power of 750 watts or one horsepower.

1-52 Sec. 551.202. OPERATION ON ROADWAY. (a) A person may
1-53 operate an electric personal assistive mobility device on a roadway
1-54 with a speed limit of 35 miles per hour or less.

1-55 (b) A person may not operate an electric personal assistive
1-56 mobility device on a roadway with a speed limit of more than 35
1-57 miles per hour unless the person operates the device on a part of
1-58 the roadway set aside for the exclusive operation of bicycles.

1-59 (c) A person may not operate an electric personal assistive
1-60 mobility device on a roadway where the operation of bicycles is
1-61 prohibited.

1-62 (d) A person may operate an electric personal assistive
1-63 mobility device on a path set aside for the exclusive operation of
1-64 bicycles.

2-1 (e) Except as otherwise provided by this section,
2-2 provisions of this title applicable to the operation of bicycles
2-3 apply to the operation of electric personal assistive mobility
2-4 devices.

2-5 Sec. 551.203. SIDEWALKS. A person may operate an electric
2-6 personal assistive mobility device on a sidewalk.

2-7 SECTION 6. Subdivision (5), Section 601.002,
2-8 Transportation Code, is amended to read as follows:

2-9 (5) "Motor vehicle" means a self-propelled vehicle
2-10 designed for use on a highway, a trailer or semitrailer designed for
2-11 use with a self-propelled vehicle, or a vehicle propelled by
2-12 electric power from overhead wires and not operated on rails. The
2-13 term does not include:

- 2-14 (A) a traction engine;
- 2-15 (B) a road roller or grader;
- 2-16 (C) a tractor crane;
- 2-17 (D) a power shovel;
- 2-18 (E) a well driller; [~~or~~]
- 2-19 (F) an implement of husbandry; or
- 2-20 (G) an electric personal assistive mobility
- 2-21 device, as defined by Section 551.201.

2-22 SECTION 7. This Act takes effect September 1, 2003.

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