

AN ACT

relating to the regulation of motor-assisted scooters.

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

SECTION 1. The heading to Subchapter D, Chapter 551, Transportation Code, is amended to read as follows:

SUBCHAPTER D. NEIGHBORHOOD ELECTRIC VEHICLES [~~AND MOTOR-ASSISTED~~  
~~SCOOTERS~~]

SECTION 2. Section 551.301, Transportation Code, is amended to read as follows:

Sec. 551.301. DEFINITION [~~DEFINITIONS~~]. In this subchapter, ~~[+]~~

[~~(1)~~] "neighborhood [~~Neighborhood~~] electric vehicle" means a vehicle subject to Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500).

[~~(2)~~] "~~Motor assisted scooter~~" means a self-propelled device with:

[~~(A)~~] ~~at least two wheels in contact with the ground during operation,~~

[~~(B)~~] ~~a braking system capable of stopping the device under typical operating conditions,~~

[~~(C)~~] ~~a gas or electric motor not exceeding 40 cubic centimeters,~~

[~~(D)~~] ~~a deck designed to allow a person to stand or sit while operating the device, and~~

1                   ~~[(E) the ability to be propelled by human power~~  
2 ~~alone.]~~

3           SECTION 3. Chapter 551, Transportation Code, is amended by  
4 adding Subchapter E to read as follows:

5                   SUBCHAPTER E. MOTOR-ASSISTED SCOOTERS

6           Sec. 551.351. DEFINITION. In this subchapter,  
7 "motor-assisted scooter" means a self-propelled device with:

8                   (1) at least two wheels in contact with the ground  
9 during operation;

10                  (2) a braking system capable of stopping the device  
11 under typical operating conditions;

12                  (3) a gas or electric motor not exceeding 40 cubic  
13 centimeters;

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

16                  (5) the ability to be propelled by human power alone.

17           Sec. 551.352. OPERATION ON ROADWAYS OR SIDEWALKS. (a) A  
18 motor-assisted scooter may be operated only on a street or highway  
19 for which the posted speed limit is 35 miles per hour or less. The  
20 motor-assisted scooter may cross a road or street at an  
21 intersection where the road or street has a posted speed limit of  
22 more than 35 miles per hour.

23                  (b) A county or municipality may prohibit the operation of a  
24 motor-assisted scooter on a street, highway, or sidewalk if the  
25 governing body of the county or municipality determines that the  
26 prohibition is necessary in the interest of safety.

27                  (c) The department may prohibit the operation of a

1 motor-assisted scooter on a highway if it determines that the  
2 prohibition is necessary in the interest of safety.

3 (d) A person may operate a motor-assisted scooter on a path  
4 set aside for the exclusive operation of bicycles or on a sidewalk.  
5 Except as otherwise provided by this section, a provision of this  
6 title applicable to the operation of a bicycle applies to the  
7 operation of a motor-assisted scooter.

8 (e) A provision of this title applicable to a motor vehicle  
9 does not apply to a motor-assisted scooter.

10 SECTION 4. Section 551.302, Transportation Code, as added  
11 by Chapter 1325, Acts of the 78th Legislature, Regular Session,  
12 2003, is repealed.

13 SECTION 5. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2005.

H.B. No. 1596

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1596 was passed by the House on April 6, 2005, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1596 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor