

1-1 By: Paxton (Senate Sponsor - Nelson) H.B. No. 1596  
1-2 (In the Senate - Received from the House April 7, 2005;  
1-3 April 11, 2005, read first time and referred to Committee on  
1-4 Transportation and Homeland Security; May 19, 2005, reported  
1-5 favorably by the following vote: Yeas 8, Nays 0; May 19, 2005,  
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the regulation of motor-assisted scooters.

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

1-11 SECTION 1. The heading to Subchapter D, Chapter 551,  
1-12 Transportation Code, is amended to read as follows:

1-13 SUBCHAPTER D. NEIGHBORHOOD ELECTRIC VEHICLES [~~AND MOTOR-ASSISTED~~  
1-14 ~~SCOOTERS~~]

1-15 SECTION 2. Section 551.301, Transportation Code, is amended  
1-16 to read as follows:

1-17 Sec. 551.301. DEFINITION [~~DEFINITIONS~~]. In this  
1-18 subchapter, ~~[+]~~

1-19 [~~(1)~~] "neighborhood [~~Neighborhood~~] electric vehicle"  
1-20 means a vehicle subject to Federal Motor Vehicle Safety Standard  
1-21 500 (49 C.F.R. Section 571.500).

1-22 [~~(2)~~] "~~Motor assisted scooter~~" means a self-propelled  
1-23 device with:

1-24 [~~(A)~~] ~~at least two wheels in contact with the~~  
1-25 ~~ground during operation;~~

1-26 [~~(B)~~] ~~a braking system capable of stopping the~~  
1-27 ~~device under typical operating conditions;~~

1-28 [~~(C)~~] ~~a gas or electric motor not exceeding 40~~  
1-29 ~~cubic centimeters;~~

1-30 [~~(D)~~] ~~a deck designed to allow a person to stand or~~  
1-31 ~~sit while operating the device; and~~

1-32 [~~(E)~~] ~~the ability to be propelled by human power~~  
1-33 ~~alone.]~~

1-34 SECTION 3. Chapter 551, Transportation Code, is amended by  
1-35 adding Subchapter E to read as follows:

1-36 SUBCHAPTER E. MOTOR-ASSISTED SCOOTERS

1-37 Sec. 551.351. DEFINITION. In this subchapter,  
1-38 "motor-assisted scooter" means a self-propelled device with:

1-39 (1) at least two wheels in contact with the ground  
1-40 during operation;

1-41 (2) a braking system capable of stopping the device  
1-42 under typical operating conditions;

1-43 (3) a gas or electric motor not exceeding 40 cubic  
1-44 centimeters;

1-45 (4) a deck designed to allow a person to stand or sit  
1-46 while operating the device; and

1-47 (5) the ability to be propelled by human power alone.

1-48 Sec. 551.352. OPERATION ON ROADWAYS OR SIDEWALKS. (a) A  
1-49 motor-assisted scooter may be operated only on a street or highway  
1-50 for which the posted speed limit is 35 miles per hour or less. The  
1-51 motor-assisted scooter may cross a road or street at an  
1-52 intersection where the road or street has a posted speed limit of  
1-53 more than 35 miles per hour.

1-54 (b) A county or municipality may prohibit the operation of a  
1-55 motor-assisted scooter on a street, highway, or sidewalk if the  
1-56 governing body of the county or municipality determines that the  
1-57 prohibition is necessary in the interest of safety.

1-58 (c) The department may prohibit the operation of a  
1-59 motor-assisted scooter on a highway if it determines that the  
1-60 prohibition is necessary in the interest of safety.

1-61 (d) A person may operate a motor-assisted scooter on a path  
1-62 set aside for the exclusive operation of bicycles or on a sidewalk.  
1-63 Except as otherwise provided by this section, a provision of this  
1-64 title applicable to the operation of a bicycle applies to the

2-1 operation of a motor-assisted scooter.

2-2 (e) A provision of this title applicable to a motor vehicle  
2-3 does not apply to a motor-assisted scooter.

2-4 SECTION 4. Section 551.302, Transportation Code, as added  
2-5 by Chapter 1325, Acts of the 78th Legislature, Regular Session,  
2-6 2003, is repealed.

2-7 SECTION 5. This Act takes effect immediately if it receives  
2-8 a vote of two-thirds of all the members elected to each house, as  
2-9 provided by Section 39, Article III, Texas Constitution. If this  
2-10 Act does not receive the vote necessary for immediate effect, this  
2-11 Act takes effect September 1, 2005.

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