

By: Raymond

H.B. No. 4499

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 1,000 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. Subchapter E, Chapter 551, Transportation Code, is amended by adding Section 551.3515 to read as follows:

Sec. 551.3515. GENERAL OPERATION OF MOTOR-ASSISTED SCOOTERS. (a) A person must hold a valid driver's license and be at

1 least 16 years of age to operate a motor-assisted scooter.

2 (b) A person may not use a motor-assisted scooter to carry
3 more than one person.

4 SECTION 3. Section 551.352, Transportation Code, is amended
5 to read as follows:

6 Sec. 551.352. OPERATION ON ROADWAYS OR BICYCLE PATHS
7 [~~SIDEWALKS~~]. (a) A person may operate a motor-assisted scooter
8 [may be operated] only:

9 (1) on a path set aside for the exclusive use of
10 bicycles, pedestrians, or both; or

11 (2) on a roadway in a bicycle lane, except as provided
12 by Subsection (b) [~~street or highway for which the posted speed~~
13 limit is 35 miles per hour or less. The motor-assisted scooter may
14 cross a road or street at an intersection where the road or street
15 has a posted speed limit of more than 35 miles per hour].

16 (b) A person may operate a motor-assisted scooter on a
17 roadway without a bicycle lane if:

18 (1) the roadway has a speed limit of 30 miles per hour
19 or less; and

20 (2) the person rides as near as practicable to the
21 right curb or edge of the roadway, unless:

22 (A) the person is:

23 (i) operating the scooter on a one-way
24 roadway, in which case the operator shall ride as near as
25 practicable to the left curb or edge of the roadway;

26 (ii) overtaking or passing another vehicle
27 that is proceeding in the same direction;

1 (iii) preparing to execute a left turn; or
2 (iv) riding alongside not more than one
3 other motor-assisted scooter and both operators are riding in a
4 single lane and in a manner that does not impede the normal and
5 reasonable movement of traffic on the roadway; or

6 (B) hazardous conditions make it reasonably
7 necessary for the operator to avoid the curb or edge of the roadway
8 ~~[A county or municipality may prohibit the operation of a~~
9 ~~motor-assisted scooter on a street, highway, or sidewalk if the~~
10 ~~governing body of the county or municipality determines that the~~
11 ~~prohibition is necessary in the interest of safety].~~

12 (c) A person may not operate a motor-assisted scooter at a
13 speed that exceeds 15 miles per hour.

14 (d) A person operating a motor-assisted scooter shall yield
15 the right-of-way to a pedestrian.

16 (e) The department may prohibit the operation of a
17 motor-assisted scooter on a highway if it determines that the
18 prohibition is necessary in the interest of safety.

19 ~~[(d) A person may operate a motor-assisted scooter on a path~~
20 ~~set aside for the exclusive operation of bicycles or on a sidewalk.~~
21 ~~Except as otherwise provided by this section, a provision of this~~
22 ~~title applicable to the operation of a bicycle applies to the~~
23 ~~operation of a motor-assisted scooter.]~~

24 (f) ~~(e)~~ A provision of this title applicable to a motor
25 vehicle does not apply to a motor-assisted scooter.

26 SECTION 4. Subchapter E, Chapter 551, Transportation Code,
27 is amended by adding Sections 551.354 and 551.355 to read as

1 follows:

2 Sec. 551.354. PARKING. A person may not park a
3 motor-assisted scooter in a manner that obstructs a roadway, path,
4 or sidewalk.

5 Sec. 551.355. EFFECT OF SUBCHAPTER ON OTHER LAW. A county
6 or municipality may:

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

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

11 (3) increase the minimum age requirement for the
12 operator of a motor-assisted scooter;

13 (4) impose a higher criminal or civil penalty for a
14 violation of this subchapter;

15 (5) further restrict the locations a person may park a
16 motor-assisted scooter;

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

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

23 SECTION 5. This Act takes effect September 1, 2019.