

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, Transportation Code, is amended by amending Subdivision (1) and adding Subdivision (3) 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 2,000 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.

(3) "Shared motor-assisted scooter" means a motor-assisted scooter that is rented for a fee.

SECTION 2. Subchapter E, Chapter 551, Transportation Code,

1 is amended by adding Section 551.3515 to read as follows:

2 Sec. 551.3515. GENERAL OPERATION OF MOTOR-ASSISTED  
3 SCOOTERS. (a) A person must be at least 16 years of age to operate  
4 a shared motor-assisted scooter.

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

7 SECTION 3. Section 551.352, Transportation Code, is amended  
8 to read as follows:

9 Sec. 551.352. OPERATION ON ROADWAYS, BICYCLE PATHS, OR  
10 SIDEWALKS. (a) Except as provided by Subsection (f), a person may  
11 operate a [A] motor-assisted scooter [~~may be operated~~] only:

12 (1) on a sidewalk or another path that is set aside  
13 primarily for the use of nonmotorized traffic, including bicycles  
14 and pedestrians; or

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

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

22 (1) the roadway has a speed limit of 35 miles per hour  
23 or less; and

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

26 (A) the person is:

27 (i) operating the scooter on a one-way

1 roadway, in which case the operator shall ride as near as  
2 practicable to the left curb or edge of the roadway;

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

5 (iii) preparing to execute a left turn; or

6 (iv) riding alongside not more than one  
7 other motor-assisted scooter and both operators are riding in a  
8 single lane and in a manner that does not impede the normal and  
9 reasonable movement of traffic on the roadway; or

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

16 (c) A person may not operate a motor-assisted scooter at a  
17 speed that exceeds:

18 (1) 15 miles per hour if the person is standing; or

19 (2) 20 miles per hour if the person is seated.

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

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

25 (f) [~~(d)~~] A person may not operate a shared motor-assisted  
26 scooter on a [~~path set aside for the exclusive operation of bicycles~~  
27 ~~or on a~~] sidewalk. [~~Except as otherwise provided by this section, a~~

1 ~~provision of this title applicable to the operation of a bicycle~~  
2 ~~applies to the operation of a motor-assisted scooter.]~~

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

5 SECTION 4. Subchapter E, Chapter 551, Transportation Code,  
6 is amended by adding Sections 551.354 and 551.355 to read as  
7 follows:

8 Sec. 551.354. PARKING. A person may not park a  
9 motor-assisted scooter in a manner that obstructs:

- 10 (1) a roadway, path, or sidewalk; or  
11 (2) an improvement or feature of a roadway, path,  
12 sidewalk, or building if the primary purpose of the improvement or  
13 feature is compliance with the requirements of the Americans With  
14 Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

15 Sec. 551.355. EFFECT OF SUBCHAPTER ON OTHER LAW. A county  
16 or municipality may:

- 17 (1) further restrict the speed at which a person may  
18 operate a motor-assisted scooter;  
19 (2) further restrict the locations a person may  
20 operate a motor-assisted scooter;  
21 (3) increase the minimum age requirement for the  
22 operator of a motor-assisted scooter;  
23 (4) impose a higher criminal or civil penalty for a  
24 violation of this subchapter;  
25 (5) further restrict the locations a person may park a  
26 motor-assisted scooter;  
27 (6) require the operator of a motor-assisted scooter

1 to wear a safety helmet; or

2 (7) prohibit the operation of a motor-assisted scooter  
3 on a street, highway, or sidewalk if the governing body of the  
4 county or municipality determines that the prohibition is in the  
5 public interest or is necessary for safety.

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