

86R7175 MP-D

By: West

S.B. No. 549

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

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

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

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

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

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

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

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

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

(A) the person is:

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

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

(iii) preparing to execute a left turn; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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