

AN ACT

relating to the regulation of electric personal assistive mobility devices.

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

SECTION 1. Subchapter F, Chapter 502, Transportation Code, is amended by adding Section 502.2862 to read as follows:

Sec. 502.2862. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES. The owner of an electric personal assistive mobility device, as defined by Section 551.201, is not required to register the electric personal assistive mobility device.

SECTION 2. Section 541.201(11), Transportation Code, is amended to read as follows:

(11) "Motor vehicle" means a self-propelled vehicle or a vehicle that is propelled by electric power from overhead trolley wires. The term does not include an electric bicycle or an electric personal assistive mobility device, as defined by Section 551.201.

SECTION 3. Section 547.001(7), Transportation Code, is amended to read as follows:

(7) "Slow-moving vehicle" means:

(A) a motor vehicle designed to operate at a maximum speed of 25 miles per hour or less, not including an electric personal assistive mobility device, as defined by Section 551.201; or

(B) a vehicle, implement of husbandry, or

1 machinery, including road construction machinery, that is towed by:
2 (i) an animal; or
3 (ii) a motor vehicle designed to operate at
4 a maximum speed of 25 miles per hour or less.

5 SECTION 4. Section 551.001, Transportation Code, is amended
6 to read as follows:

7 Sec. 551.001. PERSONS AFFECTED. Except as provided by
8 Subchapter C, this [~~This~~] chapter applies only to a person
9 operating a bicycle on:

- 10 (1) a highway; or
11 (2) a path set aside for the exclusive operation of
12 bicycles.

13 SECTION 5. Chapter 551, Transportation Code, is amended by
14 adding Subchapter C to read as follows:

15 SUBCHAPTER C. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

16 Sec. 551.201. DEFINITION. In this subchapter, "electric
17 personal assistive mobility device" means a two non-tandem wheeled
18 device designed for transporting one person that is:

- 19 (1) self-balancing; and
20 (2) propelled by an electric propulsion system with an
21 average power of 750 watts or one horsepower.

22 Sec. 551.202. OPERATION ON ROADWAY. (a) A person may
23 operate an electric personal assistive mobility device on a
24 residential street, roadway, or public highway with a speed limit
25 of 30 miles per hour or less only:

- 26 (1) while making a direct crossing of a highway in a
27 marked or unmarked crosswalk;

1 (2) where no sidewalk is available; or

2 (3) when so directed by a traffic control device or by
3 a law enforcement officer.

4 (b) A person may operate an electric personal assistive
5 mobility device on a path set aside for the exclusive operation of
6 bicycles.

7 (c) Any person operating an electric personal assistive
8 mobility device on a residential street, roadway, or public highway
9 shall ride as close as practicable to the right-hand edge.

10 (d) Except as otherwise provided by this section,
11 provisions of this title applicable to the operation of bicycles
12 apply to the operation of electric personal assistive mobility
13 devices.

14 Sec. 551.203. SIDEWALKS. A person may operate an electric
15 personal assistive mobility device on a sidewalk.

16 SECTION 6. Section 601.002(5), Transportation Code, is
17 amended to read as follows:

18 (5) "Motor vehicle" means a self-propelled vehicle
19 designed for use on a highway, a trailer or semitrailer designed for
20 use with a self-propelled vehicle, or a vehicle propelled by
21 electric power from overhead wires and not operated on rails. The
22 term does not include:

23 (A) a traction engine;

24 (B) a road roller or grader;

25 (C) a tractor crane;

26 (D) a power shovel;

27 (E) a well driller; [~~ex~~]

1 (F) an implement of husbandry; or

2 (G) an electric personal assistive mobility
3 device, as defined by Section 551.201.

4 SECTION 7. This Act takes effect September 1, 2003.

David Dewhurst

President of the Senate

Jim Cuddeback

Speaker of the House

I certify that H.B. No. 1997 was passed by the House on May 1, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1997 on May 30, 2003, by a non-record vote.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 1997 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Arseny Graw

Secretary of the Senate

APPROVED: 21 JUN 03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:52 PM '03

Ann Shea
Secretary of State