

HB09-1026; Low Powered Scooter Bill for TLRC

The following provides a Section by Section analysis of the Bill

Section 1. (p.2) Adds “low- power scooter” (LPS) to the current language in Title 10 for purposes of requiring liability coverage on “low-power scooters”. (new)

Section 2. (pp.2-3) Excludes LPS from the medical payments section of financial responsibility as has always been the case with motorized bicycles. (no change)

Section 3. (p.3) Includes LPS in the definition of powersports vehicles for the purposes of the regulation of manufacturers and dealers. (new)

Section 4. (pp.3-4) Replaces the term “motorized Bicycle with LPS” without change to current lien law. (no change)

Section 5. (pp.4-5) Eliminates the unnecessary term “motor-driven cycle” without changing the meaning of the law regarding noise restrictions. (no change)

Section 6. (p.5) Restates that local authorities are restricted in setting sound standards for LPS (no change)

Section 7. (pp.5-8) Creates the new definition for LPS also defines an electric “low-power scooter”. Strikes the unnecessary and obscure language of “motorscooter” and “motorbicycle”. (all vehicles registered for use on the public roads can be contained within the definitions of “motor vehicle”, “motorcycle” and “low-power scooter”) Clarifies the “toy vehicle” statute. (new)

Section 8. (p.8) Restates the requirement that individuals operating a LPS must have a valid driver’s license. (no change)

Section 9. (pp.8-16) Removes the unnecessary and obscure term “motor-driven cycle” from various statutes and substitutes “motor vehicle” and “motorcycle”. (no change)

Section 10. (pp.16-17) Establishes a points assessment for exceeding the 40 MPH maximum speed limit for a LPS. (new)

Section 11. (p.17) Substitutes the new term “low-power scooter” for purposes of the twenty-five cent surcharge for a “low-powered scooter” validating sticker. (no change)

Section 12. (p.17-18) Removes the obscure and unnecessary term “motorscooter” and incorporates it into “motorcycle” for purposes of the four dollar surcharge for motorcycle operator safety training. (no change). Removes the obscure and unnecessary term “motorscooter” from registration of motorcycle dealer plates. (no change)

Section 13. (p.18) Removes the obscure and unnecessary terms “motorscooters” and “motorbicycle” for purposes of the fee schedule for annual registration when there is a Tabor surplus. (no change)

Section 14. (pp.16-18) Removes the obscure and unnecessary terms “motorscooter” and “motorbicycle” for purposes of the fee schedule for annual registration when there is no Tabor surplus. (no change)

Section 15. (pp.18-19) Removes the obscure and unnecessary terms “motorscooter” and “motorbicycle” from the apportionment of registration fees. (no change)

Section 16. (pp.19-20) Removes the old term of “motorized bicycle” and substitutes the new term LPS for purposes of the “low-power scooter” registration fee. (no change)

Section 17. (pp.20-21) Removes the old term of “motorized bicycle” and substitutes the new term LPS to the operational use statute. (no change) They are operated under the same guidelines as a bicycle, but are not allowed on pedestrian or bicycle paths. (no change)

Section 18. (p.22) Provides that local authorities may regulate certain aspects of the operation of a LPS within the existing statute. (no change)

Section 19-29. (pp.22-28) restates the equipment requirements for a LPS. Includes lights, horns, brakes, etc. (no change)

Section 30. (pp.28-29) This is a new section that provides that a LPS may not be operated at a speed of more than 40 mph. It replaces the old “30mph design speed” language that could not be determined either by the seller or the owner/operator. In its place it charges the operator with the responsibility to not exceed the maximum speed. The scooter is, of course, still subject to all lower posted speed limits. (new)

Section 31. (pp.29-33) Clarifies that the operator of a LPS is subject to the statutes that sanction driving under the influence and driving while ability impaired.

Section 32. (p.33) Substitutes the new term LPS for purposes of the reckless driving sanction. (no change)

Section 33. (p.33) Substitutes the new term LPS for purposes of the careless driving sanction. (no change)

Section 34. (pp.33-34) Adds LPS to the compulsory liability insurance statute for “motor vehicles” (new).

Section 35. (pp.34-36) Adds a new provision for fines for speeding on a LPS. Tiers fines in a fashion similar to motor vehicles with fines increasing with the number of MPH over the limit. (new)

Section 36. (pp.35-36) The definition of a “motor vehicle” does not include a “motorized bicycle”; this substitutes the new term LPS. (no change)

Section 37. (p.37) The proposed bill has an effective date of 7/1/09, except the insurance requirement that is effective 07/01/10 to allow some time for the public to comply.

Section 38. (p.37) Safety clause