

HB1026_L.001

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Transportation & Energy.

After consideration on the merits, the Committee recommends the following:

HB09-1026 be amended as follows:

1 Amend printed bill, page 5, line 27, strike "A NEW SUBSECTION," and
2 substitute "THE FOLLOWING NEW SUBSECTIONS,".

3 Page 6, after line 2, insert the following:

4 "(28.5) "ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE" OR
5 "EPAMD" MEANS A SELF-BALANCING, NONTANDEM TWO-WHEELED
6 DEVICE, DESIGNED TO TRANSPORT ONLY ONE PERSON, THAT IS POWERED
7 SOLELY BY AN ELECTRIC PROPULSION SYSTEM PRODUCING AN AVERAGE
8 POWER OUTPUT OF NO MORE THAN SEVEN HUNDRED FIFTY WATTS."

9 Page 8, strike lines 3 through 11 and substitute the following:

10 "(112) "Vehicle" means ~~any~~ A device ~~which~~ THAT is capable of
11 moving itself, or of being moved, from place to place upon wheels or
12 endless tracks. "Vehicle" includes, ~~any~~ WITHOUT LIMITATION, A bicycle
13 OR EPAMD, but ~~such term~~ does not include ~~any~~ A wheelchair, ~~as defined~~
14 ~~by subsection (113) of this section, or any~~ off-highway vehicle,
15 snowmobile, ~~any~~ farm tractor, or ~~any~~ implement of husbandry designed
16 primarily or exclusively for use and used in agricultural operations or any
17 device moved ~~by muscular power or moved~~ exclusively over stationary
18 rails or tracks or designed to move primarily through the air."

19 Page 22, strike lines 1 through 8 and substitute the following:

20 "SECTION 18. The introductory portion to 42-4-111 (1) and



1 42-4-111 (1) (z) and (2), Colorado Revised Statutes, are amended, and the
2 said 42-4-111 (1) is further amended BY THE ADDITION OF A NEW
3 PARAGRAPH, to read:

4 **42-4-111. Powers of local authorities.** (1) ~~The provisions of~~
5 This article shall not be deemed to prevent local authorities, with respect
6 to streets and highways under their jurisdiction and within the reasonable
7 exercise of the police power, except those streets and highways ~~which~~
8 ~~THAT~~ are parts of the state highway system ~~which THAT~~ are subject to the
9 ~~provisions of~~ section 43-2-135, C.R.S., from:";

10 after line 12, insert the following:

11 "(bb) AUTHORIZING, PROHIBITING, OR REGULATING THE USE OF AN
12 EPAMD ON A ROADWAY, SIDEWALK, BIKE PATH, OR PEDESTRIAN PATH
13 CONSISTENT WITH SECTION 42-4-117 (1) AND (3).

14 (2) No ordinance or regulation enacted under paragraph (a), (b),
15 (e), (f), (g), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (v), (x), (y), ~~or~~ (aa),
16 OR (bb) of subsection (1) of this section shall be effective until official
17 signs or other traffic control devices conforming to standards as required
18 by section 42-4-602 and giving notice of such local traffic regulations are
19 placed upon or at the entrances to the highway or part thereof affected as
20 may be most appropriate.

21 **SECTION 19.** Part 1 of article 4 of title 42, Colorado Revised
22 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
23 read:

24 **42-4-117. Personal mobility devices.** (1) A RIDER OF AN
25 EPAMD SHALL HAVE ALL THE SAME RIGHTS AND DUTIES AS AN OPERATOR
26 OF ANY OTHER VEHICLE UNDER THIS ARTICLE, EXCEPT AS TO THOSE
27 PROVISIONS THAT BY THEIR NATURE HAVE NO APPLICATION.

28 (2) (a) UNLESS AUTHORIZED OR PROHIBITED UNDER SECTION
29 42-4-111 (1) (bb), AN EPAMD:

30 (I) MAY BE OPERATED ON A ROADWAY IN CONFORMITY WITH
31 VEHICLE USE;

32 (II) SHALL NOT BE OPERATED ON A BIKE OR PEDESTRIAN PATH;



1 (III) SHALL NOT BE OPERATED ON A SIDEWALK; AND

2 (IV) SHALL NOT BE OPERATED ON A HIGHWAY OR ROADWAY THAT
3 HAS A SPEED LIMIT GREATER THAN THIRTY MILES PER HOUR; EXCEPT THAT
4 A PERSONAL MOBILITY DEVICE MAY BE OPERATED ON A CROSSWALK OR
5 ANY PLACE WHERE PEDESTRIANS ARE AUTHORIZED TO CROSS SUCH
6 HIGHWAY OR ROADWAY.

7 (b) SUBPARAGRAPHS (II) TO (IV) OF PARAGRAPH (a) OF THIS
8 SUBSECTION (2) SHALL NOT APPLY TO A POLICE OFFICER OR EMPLOYEE OF
9 A FEDERAL, STATE, OR LOCAL GOVERNMENTAL AGENCY IN THE
10 PERFORMANCE OF THE OFFICER'S OR EMPLOYEE'S DUTIES.

11 (3) AN EPAMD SHALL NOT BE OPERATED:

12 (a) ON A LIMITED-ACCESS HIGHWAY; OR

13 (b) AT A SPEED OF GREATER THAN TWELVE AND ONE-HALF MILES
14 PER HOUR.

15 (4) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B
16 TRAFFIC INFRACTION."

17 Renumber succeeding sections accordingly.

18 Page 27, after line 16, insert the following:

19 "SECTION 27. 42-4-221 (1), (2), (3), (4), and (5), Colorado
20 Revised Statutes, are amended to read:

21 **42-4-221. Bicycle and personal mobility device equipment.**

22 (1) No other provision of this part 2 and no provision of part 3 of this
23 article shall apply to ~~bicycles~~ A BICYCLE OR EPAMD or to equipment for
24 use on ~~bicycles~~ A BICYCLE OR EPAMD except those provisions in this
25 article made specifically applicable to ~~bicyclists, bicycles, or their~~
26 ~~equipment~~ SUCH A VEHICLE.

27 (2) Every bicycle OR EPAMD in use at the times described in
28 section 42-4-204 shall be equipped with a lamp on the front emitting a
29 white light visible from a distance of at least five hundred feet to the
30 front.



1 (3) Every bicycle OR EPAMD shall be equipped with a red
2 reflector of a type approved by the department, which shall be visible for
3 six hundred feet to the rear when directly in front of lawful lower beams
4 of head lamps on a motor vehicle.

5 (4) Every bicycle OR EPAMD when in use at the times described
6 in section 42-4-204 shall be equipped with reflective material of
7 sufficient size and reflectivity to be visible from both sides for six
8 hundred feet when directly in front of lawful lower beams of head lamps
9 on a motor vehicle or, in lieu of such reflective material, with a lighted
10 lamp visible from both sides from a distance of at least five hundred feet.

11 (5) A bicycle OR EPAMD or its rider may be equipped with lights
12 or reflectors in addition to those required by subsections (2) to (4) of this
13 section."

14 Renumber succeeding sections accordingly.

15 Page 37, line 21, strike "34" and substitute "36".

16 Page 1, line 104, strike "SCOOTER"." and substitute "SCOOTER" AND
17 "ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE"."

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