

1-1 By: West, Powell S.B. No. 549
1-2 (In the Senate - Filed January 31, 2019; February 21, 2019,
1-3 read first time and referred to Committee on Transportation;
1-4 April 24, 2019, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 24, 2019,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Nichols</u>	X		
1-10	<u>Hancock</u>	X		
1-11	<u>Alvarado</u>	X		
1-12	<u>Hinojosa</u>	X		
1-13	<u>Kolkhorst</u>	X		
1-14	<u>Perry</u>	X		
1-15	<u>Rodríguez</u>	X		
1-16	<u>Schwertner</u>	X		
1-17	<u>West</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 549 By: West

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the operation of motor-assisted scooters.
1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-23 SECTION 1. Section 551.351(1), Transportation Code, is
1-24 amended to read as follows:
1-25 (1) "Motor-assisted scooter":
1-26 (A) means a self-propelled device with:
1-27 (i) at least two wheels in contact with the
1-28 ground during operation;
1-29 (ii) a braking system capable of stopping
1-30 the device under typical operating conditions;
1-31 (iii) a gas motor with a displacement not
1-32 exceeding 40 cubic centimeters or an electric motor with a power
1-33 output not exceeding 2,000 watts [40 cubic centimeters];
1-34 (iv) a deck designed to allow a person to
1-35 stand or sit while operating the device; and
1-36 (v) the ability to be propelled by human
1-37 power alone; and
1-38 (B) does not include a pocket bike or a
1-39 minimotorbike.
1-40 SECTION 2. Subchapter E, Chapter 551, Transportation Code,
1-41 is amended by adding Section 551.3515 to read as follows:
1-42 Sec. 551.3515. GENERAL OPERATION OF MOTOR-ASSISTED
1-43 SCOOTERS. (a) A person must be at least 16 years of age to operate
1-44 a motor-assisted scooter.
1-45 (b) A person may not use a motor-assisted scooter to carry
1-46 more than one person.
1-47 SECTION 3. Section 551.352, Transportation Code, is amended
1-48 to read as follows:
1-49 Sec. 551.352. OPERATION ON ROADWAYS OR BICYCLE PATHS
1-50 [SIDEWALKS]. (a) A person may operate a motor-assisted scooter
1-51 [may be operated] only:
1-52 (1) on a path other than a sidewalk that is set aside
1-53 primarily for the use of nonmotorized traffic, including bicycles
1-54 and pedestrians; or
1-55 (2) on a roadway in a bicycle lane, except as provided
1-56 by Subsection (b) [street or highway for which the posted speed
1-57 limit is 35 miles per hour or less. The motor-assisted scooter may
1-58 cross a road or street at an intersection where the road or street
1-59 has a posted speed limit of more than 35 miles per hour].
1-60 (b) A person may operate a motor-assisted scooter on a

2-1 roadway without a bicycle lane if:

2-2 (1) the roadway has a speed limit of 35 miles per hour

2-3 or less; and

2-4 (2) the person rides as near as practicable to the

2-5 right curb or edge of the roadway, unless:

2-6 (A) the person is:

2-7 (i) operating the scooter on a one-way

2-8 roadway, in which case the operator shall ride as near as

2-9 practicable to the left curb or edge of the roadway;

2-10 (ii) overtaking or passing another vehicle

2-11 that is proceeding in the same direction;

2-12 (iii) preparing to execute a left turn; or

2-13 (iv) riding alongside not more than one

2-14 other motor-assisted scooter and both operators are riding in a

2-15 single lane and in a manner that does not impede the normal and

2-16 reasonable movement of traffic on the roadway; or

2-17 (B) hazardous conditions make it reasonably

2-18 necessary for the operator to avoid the curb or edge of the roadway

2-19 [A county or municipality may prohibit the operation of a

2-20 motor-assisted scooter on a street, highway, or sidewalk if the

2-21 governing body of the county or municipality determines that the

2-22 prohibition is necessary in the interest of safety].

2-23 (c) A person may not operate a motor-assisted scooter at a

2-24 speed that exceeds:

2-25 (1) 15 miles per hour if the person is standing; or

2-26 (2) 20 miles per hour if the person is seated.

2-27 (d) A person operating a motor-assisted scooter shall yield

2-28 the right-of-way to a pedestrian.

2-29 (e) The department may prohibit the operation of a

2-30 motor-assisted scooter on a highway if it determines that the

2-31 prohibition is necessary in the interest of safety.

2-32 [~~(d) A person may operate a motor-assisted scooter on a path~~

2-33 ~~set aside for the exclusive operation of bicycles or on a sidewalk.~~

2-34 ~~Except as otherwise provided by this section, a provision of this~~

2-35 ~~title applicable to the operation of a bicycle applies to the~~

2-36 ~~operation of a motor-assisted scooter.]~~

2-37 (f) [~~(e)~~] A provision of this title applicable to a motor

2-38 vehicle does not apply to a motor-assisted scooter.

2-39 SECTION 4. Subchapter E, Chapter 551, Transportation Code,

2-40 is amended by adding Sections 551.354 and 551.355 to read as

2-41 follows:

2-42 Sec. 551.354. PARKING. A person may not park a

2-43 motor-assisted scooter in a manner that obstructs:

2-44 (1) a roadway, path, or sidewalk; or

2-45 (2) an improvement or feature of a roadway, path,

2-46 sidewalk, or building if the primary purpose of the improvement or

2-47 feature is compliance with the requirements of the Americans With

2-48 Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

2-49 Sec. 551.355. EFFECT OF SUBCHAPTER ON OTHER LAW. A county

2-50 or municipality may:

2-51 (1) further restrict the speed at which a person may

2-52 operate a motor-assisted scooter;

2-53 (2) further restrict the locations a person may

2-54 operate a motor-assisted scooter;

2-55 (3) increase the minimum age requirement for the

2-56 operator of a motor-assisted scooter;

2-57 (4) impose a higher criminal or civil penalty for a

2-58 violation of this subchapter;

2-59 (5) further restrict the locations a person may park a

2-60 motor-assisted scooter;

2-61 (6) require the operator of a motor-assisted scooter

2-62 to wear a safety helmet; or

2-63 (7) prohibit the operation of a motor-assisted scooter

2-64 on a street, highway, or sidewalk if the governing body of the

2-65 county or municipality determines that the prohibition is in the

2-66 public interest or is necessary for safety.

2-67 SECTION 5. This Act takes effect September 1, 2019.

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