

2019 Regular Session

SENATE BILL NO. 91

BY SENATOR CORTEZ

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ROADS/HIGHWAYS. Provides relative to electric low-speed scooters. (8/1/19)

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AN ACT

To enact R.S. 32:300.1.1, relative to electric low-speed scooters; to provide relative to the operation of an electric low-speed scooter; to provide relative to the definition of an "electric low-speed scooter"; to provide relative to the requirements of an electric low-speed scooter; to exempt an electric low-speed scooter from certain requirements of motor vehicles; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:300.1.1 is hereby enacted to read as follows:

§300.1.1. Electric low-speed scooters; operation; exceptions

A. Electric low-speed scooters may operate on sidewalks, bicycle paths, and highways, except that the department and any parish or municipal governing authority may limit or prohibit the operation of such scooters on any sidewalk, bicycle path, or highway under its jurisdiction if such prohibition or regulation is in the interest of safety.

B. For purposes of this Section, the term "electric low-speed scooter" shall mean a scooter weighing less than one-hundred pounds that has handlebars and an electric motor, is solely powered by an electric motor or

1 human power, and has a maximum speed of not more than twenty miles per
2 hour on a paved level surface when powered solely by an electric motor. An
3 electric low-speed scooter shall not be considered a motor-driven cycle, a motor
4 scooter, an electric scooter, a vehicle, or a motor vehicle.

5 C. No electric low-speed scooter shall be used to carry more persons at
6 one time than the number of persons for whom it is designed and equipped.

7 D. No person operating an electric low-speed scooter shall attach himself
8 or the scooter to any other vehicle being operated upon a highway.

9 E. No person operating an electric low-speed scooter on a roadway shall
10 carry any package, bundle, or article that prevents the operator from keeping
11 at least one hand on its handlebars.

12 F.(1) Every person operating an electric low-speed scooter upon a
13 roadway shall ride as near to the right side of the roadway as practicable,
14 exercising due care when passing a standing vehicle or a vehicle proceeding in
15 the same direction, except under any of the following circumstances:

16 (a) When overtaking and passing another electric low-speed scooter,
17 bicycle, or vehicle proceeding in the same direction.

18 (b) When preparing to turn or turning left at an intersection, or into a
19 private road or driveway.

20 (c) When reasonably necessary to avoid fixed or moving objects,
21 vehicles, bicycles, pedestrians, animals, surface hazards, substandard width
22 lanes, or any other condition that makes it unsafe to continue along the right-
23 hand curb or edge of the roadway. For purposes of this Paragraph, a
24 "substandard width lane" is a lane that is too narrow for an electric low-speed
25 scooter and another electric low-speed scooter, bicycle, or a vehicle to travel
26 safely side-by-side within the lane.

27 (2) The operator of a motor vehicle, when overtaking and passing an
28 electric low-speed scooter proceeding in the same direction on the roadway,
29 shall exercise due care when the motor vehicle is passing the electric low-speed

1 scooter, and shall leave a safe distance between the motor vehicle and the
 2 electric low-speed scooter of not less than three feet, and shall maintain such
 3 safe distance until safely past the overtaken electric low-speed scooter. The
 4 operator of a motor vehicle may pass an electric low-speed scooter traveling in
 5 the same direction in a no-passing zone only when it is safe to do so.

6 G. An electric low-speed scooter shall be equipped with a brake which
 7 enables the operator to make its braked wheels skid on dry, level, and clean
 8 pavements.

9 H. An electric low-speed scooter, when in use during the times specified
 10 in R.S. 32:301, shall be equipped as provided in R.S. 32:329.1.

11 I. Any operator of an electric low-speed scooter under the age of
 12 seventeen years shall wear an approved helmet as provided in R.S. 32:199.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

SB 91 Engrossed

2019 Regular Session

Cortez

Proposed law authorizes electric low-speed scooters to operate on sidewalks, bicycle paths, and highways, except when the DOTD or any parish or municipal governing authority with jurisdiction limits or prohibits scooter operation in the interest of safety.

Proposed law defines an "electric low-speed scooter" as a scooter weighing less than 100 pounds that has handlebars and an electric motor, is solely powered by an electric motor or human power, and has a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by an electric motor. Proposed law provides that an electric low-speed scooter shall not be considered a motor-driven cycle, a motor scooter, an electric scooter, a vehicle, or a motor vehicle.

Proposed law provides that a scooter shall carry only the number of persons at one time it is designed and equipped to carry.

Proposed law prohibits a person operating a scooter to attach himself or the scooter to any other vehicle being operated upon the highway.

Proposed law prohibits a person operating a scooter upon a roadway from carrying a package, bundle, or article that prevents him from keeping at least one hand on the handlebars.

Proposed law requires every person operating an electric low-speed scooter upon a roadway to ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or a vehicle proceeding in the same direction, except under any of the following circumstances:

- (1) When overtaking and passing another electric low-speed scooter, bicycle, or vehicle

proceeding in the same direction.

- (2) When preparing to turn or turning left at an intersection, or into a private road or driveway.
- (3) When reasonably necessary to avoid fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes, or any other condition that makes it unsafe to continue along the right-hand curb or edge of the roadway. For purposes of this Paragraph, a "substandard width lane" is a lane that is too narrow for an electric low-speed scooter and another electric low-speed scooter, bicycle, or a vehicle to travel safely side-by-side within the lane.

Proposed law requires the operator of a motor vehicle, when overtaking and passing an electric low-speed scooter proceeding in the same direction on the roadway, to exercise due care when the motor vehicle is passing the electric low-speed scooter, and to leave a safe distance between the motor vehicle and the electric low-speed scooter of not less than three feet, and to maintain such safe distance until safely past the overtaken electric low-speed scooter. Proposed law allows the operator of a motor vehicle to pass an electric low-speed scooter traveling in the same direction in a no-passing zone only when it is safe to do so.

Proposed law requires a scooter to be equipped with a brake that enables its braked wheels to skid on dry, level, and clean pavements.

Proposed law requires a scooter to be equipped as provided in R.S. 32:329.1 (lights and reflectors) when in use during times specified in R.S. 32:301, as follows:

- (1) At any time between sunset and sunrise.
- (2) When, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernable at a distance of 500 feet ahead.
- (3) When moisture in the air or precipitation necessitates the continuous use of windshield wipers.
- (4) While driving in a tunnel.

Proposed law requires the operator of an electric low-speed scooter under the age of 17 years to wear an approved helmet as provided in R.S. 32:199.

Effective August 1, 2019.

(Adds R.S. 32:300.1.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Removes provision that restricted the operation of an electric low-speed scooter to highways with a posted speed limit of 25 m.p.h. or less.
2. Adds to definition of "electric low-speed scooter" that an electric low-speed scooter is not a motor-driven cycle, a motor scooter, an electric scooter, a vehicle, or a motor vehicle.

3. Corrects citation from R.S. 32:329.1 to R.S. 32:199 which requires the operator of an electric low-speed scooter under the age of 17 years to wear an approved helmet.
4. Removes duplicate provisions that allow DOTD, a parish, or municipal government to prohibit operation of electric low-speed scooters when necessary for the safety of the motoring public.