

SENATE FILE **2010** TRANSPORTATION

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Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the operation of electric personal assistive
2 mobility devices, making a penalty applicable, and providing
3 an effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2010
TRANSPORTATION

1 Section 1. Section 321.1, subsection 20B, Code Supplement
2 2003, is amended to read as follows:

3 20B. "Electric personal assistive mobility device" means a
4 either of the following:

5 a. A self-balancing device powered by an electric
6 propulsion system that averages seven hundred fifty watts, has
7 two nontandem wheels, and is designed to transport one person,
8 with a maximum speed on a paved level surface of less than
9 twenty miles per hour. The maximum speed shall be calculated
10 based on operation of the device by a person who weighs one
11 hundred seventy pounds when the device is powered solely by
12 the electric propulsion system.

13 b. A wheelchair, scooter, or other self-propelled device,
14 powered by an electric propulsion system and designed to
15 transport one person with disabilities, with a maximum speed
16 on a paved level surface of less than twenty miles per hour.
17 The maximum speed shall be calculated based on operation of
18 the device by a person with disabilities who weighs one
19 hundred seventy pounds when the device is powered solely by
20 the electric propulsion system.

21 Sec. 2. Section 321.235A, Code 2003, is amended to read as
22 follows:

23 321.235A ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.

24 1. An Except as provided in subsection 2, an electric
25 personal assistive mobility device may be operated by-a-person
26 at-least-sixteen-years-of-age only on sidewalks and bikeways
27 in accordance with this section subsection.

28 1- a. None of the following are required for operation of
29 an electric personal assistive mobility device:

30 a- (1) Licensure or registration of the electric personal
31 assistive mobility device under this chapter.

32 b- (2) Possession of a driver's license or permit by the
33 operator of the electric personal assistive mobility device.

34 c- (3) Proof of financial responsibility.

35 2- b. A person operating an electric personal assistive

1 mobility device on a sidewalk or bikeway shall do all of the
2 following:

3 a- (1) Yield the right-of-way to pedestrians and human-
4 powered devices.

5 b- (2) Give an audible signal before overtaking and
6 passing a pedestrian or human-powered device.

7 c- (3) A person shall not operate an electric personal
8 assistive mobility device at the times specified in section
9 321.384 unless the person or the electric personal assistive
10 mobility device is equipped with a headlight visible from the
11 front of the electric personal assistive mobility device and
12 at least one red reflector visible from the rear of the
13 electric personal assistive mobility device.

14 2. Notwithstanding section 321.382, and subject to
15 subsection 1, paragraphs "a" and "c", an electric personal
16 assistive mobility device may be operated on streets or
17 highways pursuant to local authorization under section
18 321.236, subsections 13 and 14.

19 4- 3. Violations A violation of this section are is
20 punishable as a scheduled violation under section 805.8A,
21 subsection 9A.

22 Sec. 3. Section 321.236, subsections 13 and 14, Code
23 Supplement 2003, are amended to read as follows:

24 13. Establishing a rural residence district. The board of
25 supervisors of a county with respect to highways under its
26 jurisdiction may establish, by ordinance or resolution, rural
27 residence districts and may regulate, by ordinance or
28 resolution, ~~regulate~~ the speed and parking of vehicles within
29 the rural residence district consistent with sections 321.239,
30 321.285, and 321.293. In addition, the board of supervisors
31 may regulate or prohibit, by ordinance or resolution, the
32 operation of electric personal assistive mobility devices
33 within the rural residence district. Before establishing a
34 rural residence district, the board of supervisors shall hold
35 a public hearing on the proposal, notice of which shall be

1 published in a newspaper having a general circulation in the
2 area where the proposed district is located at least twenty
3 days before the date of hearing. The notice shall state the
4 time and place of the hearing, the proposed location of the
5 district, and other data considered pertinent by the board of
6 supervisors.

7 14. Regulating or prohibiting the operation of electric
8 personal assistive mobility devices ~~authorized-pursuant-to~~
9 section-321-235A in incorporated areas.

10 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
11 immediate importance, takes effect upon enactment.

12 EXPLANATION

13 This bill expands the definition of electric personal
14 assistive mobility device to include an electric wheelchair,
15 scooter, or other self-propelled device designed to transport
16 one person with a disability. Current law provides for the
17 operation of electric personal assistive mobility devices only
18 on sidewalks and bikeways by persons 16 years of age or older,
19 subject to local regulation. The bill eliminates the age
20 restriction and allows local authorities to regulate or
21 prohibit the operation of the various types of electric
22 personal assistive mobility devices on highways within rural
23 residence districts and on city streets. Such devices are not
24 subject to minimum speed requirements applicable to other
25 vehicles operating on highways.

26 Operators of electric personal assistive mobility devices
27 are exempt from licensure, registration, and proof of
28 financial responsibility requirements, but are subject to
29 specific lighting requirements during certain hours of
30 operation.

31 A violation of the law relating to operation of an electric
32 personal assistive mobility device is punishable by a
33 scheduled fine of \$15.

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