

House File 500 - Introduced

HOUSE FILE 500

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 38)

A BILL FOR

1 An Act relating to electric scooters, and providing penalties.

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

1 Section 1. Section 321.1, Code 2019, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 20C. *“Electric scooter”* means a device
4 weighing less than one hundred pounds that is equipped with
5 handlebars and an electric motor, and which is solely powered
6 by a rider or by an electric motor capable of propelling the
7 device without additional propulsion supplied by the rider at a
8 maximum speed on a paved level surface of no more than twenty
9 miles per hour, or both. *“Electric scooter”* does not include an
10 electric personal assistive mobility device, a bicycle, or any
11 vehicle including any motor vehicle.

12 Sec. 2. Section 321.1, subsection 90, Code 2019, is amended
13 by adding the following new paragraph:

14 NEW PARAGRAPH. e. An electric scooter.

15 Sec. 3. NEW SECTION. 321.235B **Electric scooters.**

16 1. A person may operate an electric scooter on highways
17 with a speed limit of thirty-five miles per hour or less,
18 bikeways, and sidewalks in accordance with this section. A
19 person may operate an electric scooter on a highway with
20 a speed limit of more than thirty-five miles per hour for
21 purposes of crossing the highway if the crossing is made at an
22 angle of approximately ninety degrees to the direction of the
23 highway at a place where no obstruction prevents a quick and
24 safe crossing, the electric scooter is brought to a complete
25 stop before crossing the shoulder or traveled portion of the
26 highway, the person yields the right-of-way to all oncoming
27 traffic which constitutes an immediate hazard, and, if crossing
28 a divided highway, the crossing is made only at an intersection
29 of such highway with another highway.

30 2. A person operating an electric scooter on a highway is
31 subject to the provisions of this chapter applicable to a rider
32 of a bicycle on a highway and has all the rights and duties
33 under this chapter applicable to a rider of a bicycle, except
34 those provisions of this chapter which by their nature can
35 have no application, or except as otherwise provided in this

1 section. Any ordinance adopted by a local authority applicable
2 to bicycles shall apply to electric scooters, except to the
3 extent such an ordinance conflicts with this section.

4 3. Except for provisions of the Code made specifically
5 applicable to electric scooters in this section, electric
6 scooters are not subject to provisions of the Code applicable
7 to vehicles, including provisions relating to all of the
8 following:

9 a. Licensure, registration, titling, inspection, and proof
10 of financial liability coverage.

11 b. Possession of a driver's license or permit.

12 c. The rental of motor vehicles.

13 4. A person operating an electric scooter on a bikeway or
14 sidewalk shall do all of the following:

15 a. Yield the right-of-way to pedestrians and human-powered
16 devices.

17 b. Give an audible signal before overtaking and passing a
18 pedestrian or human-powered device.

19 5. An electric scooter shall, at the times specified
20 in section 321.384, be equipped with lamps meeting the
21 requirements of bicycle lamps under section 321.397. This
22 subsection shall not be construed to authorize the use of a red
23 reflector in lieu of a rear lamp.

24 6. A person may park an electric scooter at any location
25 where parking a bicycle is allowed. However, by parking an
26 electric scooter, a person shall not impede the normal or
27 reasonable movement of pedestrian or other traffic.

28 7. A person convicted of a violation of this section is
29 guilty of a simple misdemeanor punishable as a scheduled
30 violation under section 805.8A, subsection 9A.

31 Sec. 4. Section 805.8A, subsection 9A, Code 2019, is amended
32 to read as follows:

33 9A. *Electric personal assistive mobility device*

34 *violations.* For electric device violations under section

35 321.235A the following sections, the scheduled fine is fifteen

1 ~~dollars.~~ as follows:

- 2 a. Section 321.235A.....\$15.
- 3 b. Section 321.235B.....\$15.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill regulates the operation of electric scooters, as
8 defined in the bill. The bill excludes electric scooters from
9 the definition of "vehicle" under Code section 321.1, thereby
10 making the provisions of Code chapter 321 (motor vehicles
11 and law of the road) relating to vehicles, motor vehicles,
12 automobiles, and cars inapplicable to electric scooters.

13 The bill authorizes a person to operate an electric scooter
14 on highways with a speed limit of 35 miles per hour or less,
15 bikeways, and sidewalks. The bill specifies that a person may
16 operate an electric scooter on a highway with a speed limit
17 of more than 35 miles per hour for purposes of crossing the
18 highway if the crossing is made at an angle of approximately
19 90 degrees to the direction of the highway at a place where no
20 obstruction prevents a quick and safe crossing, the electric
21 scooter is brought to a complete stop before crossing the
22 shoulder or traveled portion of the highway, the person yields
23 the right-of-way to all oncoming traffic which constitutes
24 an immediate hazard, and, if crossing a divided highway, the
25 crossing is made only at an intersection of such highway with
26 another highway.

27 The bill provides that a person operating an electric
28 scooter on a highway is subject to the provisions of Code
29 chapter 321 applicable to a rider of a bicycle on a highway and
30 has all the rights and duties under Code chapter 321 applicable
31 to a rider of a bicycle, except those provisions which by their
32 nature can have no application, or except as otherwise provided
33 in the bill. Under Code section 321.234, a person riding a
34 bicycle on a highway is subject to the provisions of Code
35 chapter 321 and has all the rights and duties applicable to a

1 driver of a vehicle, except those provisions which by their
2 nature can have no application. Code section 321.194 also
3 prohibits a person from using a bicycle on a highway to carry
4 more persons at one time than the number of persons for which
5 the bicycle is designed and equipped. Code section 321.281
6 prohibits a person operating a motor vehicle from steering the
7 motor vehicle unreasonably close to or toward a person riding
8 a bicycle on a highway, including the roadway or the shoulder
9 adjacent to the roadway, and prohibits a person from knowingly
10 projecting any object or substance at or against a person
11 riding a bicycle on a highway. Code section 321.434 prohibits
12 a bicycle from being equipped with, and a person from using
13 upon a bicycle, any siren or whistle.

14 Under the bill, any ordinance adopted by a local authority
15 applicable to bicycles applies to electric scooters, except to
16 the extent such an ordinance conflicts with the bill.

17 The bill provides that except for provisions of the Code
18 made specifically applicable to electric scooters in the
19 bill, electric scooters are not subject to provisions of the
20 Code applicable to vehicles, including provisions relating
21 to licensure, registration, titling, inspection, proof of
22 financial liability coverage, possession of a driver's license
23 or permit, and the rental of motor vehicles.

24 The bill requires a person operating an electric scooter on
25 a bikeway or sidewalk to yield the right-of-way to pedestrians
26 and human-powered devices, and to give an audible signal before
27 overtaking and passing a pedestrian or human-powered device.

28 The bill requires an electric scooter to, at the times
29 specified in Code section 321.384, be equipped with lamps
30 meeting the requirements of bicycle lamps under Code section
31 321.397. The times specified in Code section 321.384 include
32 any time from sunset to sunrise, and at such other times
33 when conditions such as fog, snow, sleet, or rain provide
34 insufficient lighting to render clearly discernible persons and
35 vehicles on the highway at a distance of 500 feet ahead. Code

H.F. 500

1 section 321.397 requires front bicycle lamps to exhibit a white
2 light visible from a distance of at least 300 feet to the front
3 and rear bicycle lamps to exhibit a red light visible from a
4 distance of 300 feet to the rear. The bill does not authorize
5 the use of a red reflector in lieu of a rear lamp.

6 The bill allows a person to park an electric scooter at any
7 location where parking a bicycle is allowed. However, the
8 bill provides that by parking an electric scooter, a person is
9 prohibited from impeding the normal or reasonable movement of
10 pedestrian or other traffic.

11 A violation of the bill is punishable by a scheduled fine of
12 \$15.