

House Study Bill 38 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
TRANSPORTATION BILL BY
CHAIRPERSON HINSON)

A BILL FOR

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

3 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 standup scooter”* means any
4 device weighing less than one hundred pounds that is equipped
5 with two or three wheels, handlebars, and a floorboard capable
6 of supporting a standing rider, and which is solely powered by
7 the rider or by an electric motor capable of propelling the
8 device, with or without additional propulsion supplied by the
9 rider, at a maximum speed on a paved level surface of no more
10 than twenty miles per hour, or both.

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

13 NEW PARAGRAPH. e. An electric standup scooter.

14 Sec. 3. NEW SECTION. **321.235B Electric standup scooters.**

15 1. A person may operate an electric standup scooter on
16 highways, bikeways, and sidewalks in accordance with this
17 section.

18 2. A person operating an electric standup scooter on a
19 highway is subject to the provisions of this chapter applicable
20 to a rider of a bicycle on a highway and has all the rights and
21 duties under this chapter applicable to a rider of a bicycle,
22 except those provisions of this chapter which by their nature
23 can have no application, or except as otherwise provided in
24 this section.

25 3. Except for provisions of the Code made specifically
26 applicable to electric standup scooters in this section,
27 electric standup scooters are not subject to provisions of the
28 Code applicable to vehicles, including provisions relating to
29 all of the following:

30 a. Licensure, registration, titling, inspection, and proof
31 of financial liability coverage.

32 b. Possession of a driver’s license or permit.

33 c. The rental of motor vehicles.

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

1 a. Yield the right-of-way to pedestrians and human-powered
2 devices.

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

5 5. An electric standup scooter shall, at the times
6 specified in section 321.384, be equipped with lamps meeting
7 the requirements of bicycle lamps under section 321.397. This
8 subsection shall not be construed to authorize the use of a red
9 reflector in lieu of a rear lamp.

10 6. A person may park an electric standup scooter at any
11 location where parking a bicycle is allowed. However, by
12 parking an electric standup scooter, a person shall not impede
13 the normal or reasonable movement of pedestrian or other
14 traffic.

15 7. A person convicted of a violation of this section is
16 guilty of a simple misdemeanor punishable as a scheduled
17 violation under section 805.8A, subsection 9A.

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

20 9A. *Electric personal assistive mobility device*
21 *violations.* For electric device violations under ~~section~~
22 ~~321.235A~~ the following sections, the scheduled fine is ~~fifteen~~
23 ~~dollars.~~ as follows:

24 a. Section 321.235A.....\$15.

25 b. Section 321.235B.....\$15.

26 EXPLANATION

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

29 This bill regulates the operation of electric standup
30 scooters. The bill defines "electric standup scooter" to mean
31 any device weighing less than 100 pounds that is equipped with
32 two or three wheels, handlebars, and a floorboard capable of
33 supporting a standing rider, and which is solely powered by
34 the rider or by an electric motor capable of propelling the
35 device, with or without additional propulsion supplied by the

1 rider, at a maximum speed on a paved level surface of no more
2 than 20 miles per hour, or both. The bill excludes electric
3 standup scooters from the definition of "vehicle" under Code
4 section 321.1, thereby making the provisions of Code chapter
5 321 (motor vehicles and law of the road) relating to vehicles,
6 motor vehicles, automobiles, and cars inapplicable to electric
7 standup scooters.

8 The bill authorizes a person to operate an electric standup
9 scooter on highways, bikeways, and sidewalks.

10 The bill provides that a person operating an electric
11 standup scooter on a highway is subject to the provisions
12 of Code chapter 321 applicable to a rider of a bicycle on a
13 highway and has all the rights and duties under Code chapter
14 321 applicable to a rider of a bicycle, except those provisions
15 which by their nature can have no application, or except as
16 otherwise provided in the bill. Under Code section 321.234,
17 a person riding a bicycle on a highway is subject to the
18 provisions of Code chapter 321 and has all the rights and
19 duties applicable to a driver of a vehicle, except those
20 provisions which by their nature can have no application. Code
21 section 321.194 also prohibits a person from using a bicycle on
22 a highway to carry more persons at one time than the number of
23 persons for which the bicycle is designed and equipped. Code
24 section 321.281 prohibits a person operating a motor vehicle
25 from steering the motor vehicle unreasonably close to or toward
26 a person riding a bicycle on a highway, including the roadway
27 or the shoulder adjacent to the roadway, and prohibits a person
28 from knowingly projecting any object or substance at or against
29 a person riding a bicycle on a highway. Code section 321.434
30 prohibits a bicycle from being equipped with, and a person from
31 using upon a bicycle, any siren or whistle.

32 The bill provides that except for provisions of the Code made
33 specifically applicable to electric standup scooters in the
34 bill, electric standup scooters are not subject to provisions
35 of the Code applicable to vehicles, including provisions

1 relating to licensure, registration, titling, inspection, proof
2 of financial liability coverage, possession of a driver's
3 license or permit, and the rental of motor vehicles.

4 The bill requires a person operating an electric standup
5 scooter on a bikeway or sidewalk to yield the right-of-way
6 to pedestrians and human-powered devices, and to give an
7 audible signal before overtaking and passing a pedestrian or
8 human-powered device.

9 The bill requires an electric standup scooter to, at the
10 times specified in Code section 321.384, be equipped with
11 lamps meeting the requirements of bicycle lamps under Code
12 section 321.397. The times specified in Code section 321.384
13 include any time from sunset to sunrise, and at such other
14 times when conditions such as fog, snow, sleet, or rain provide
15 insufficient lighting to render clearly discernible persons and
16 vehicles on the highway at a distance of 500 feet ahead. Code
17 section 321.397 requires front bicycle lamps to exhibit a white
18 light visible from a distance of at least 300 feet to the front
19 and rear bicycle lamps to exhibit a red light visible from a
20 distance of 300 feet to the rear. The bill does not authorize
21 the use of a red reflector in lieu of a rear lamp.

22 The bill allows a person to park an electric standup scooter
23 at any location where parking a bicycle is allowed. However,
24 the bill provides that by parking an electric standup scooter,
25 a person is prohibited from impeding the normal or reasonable
26 movement of pedestrian or other traffic.

27 A violation of the bill is punishable by a scheduled fine of
28 \$15.