

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 77

Short Title: Electric Standup Scooters. (Public)

Sponsors: Representatives Torbett, Presnell, Iler, and Shepard (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Transportation, if favorable, Regulatory Reform, if favorable, Rules, Calendar,
and Operations of the House

February 14, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO DEFINE AND AUTHORIZE THE USE OF ELECTRIC STANDUP SCOOTERS,
3 AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STRATEGIC
4 TRANSPORTATION PLANNING AND LONG TERM FUNDING SOLUTIONS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-4.01 reads as rewritten:

7 "**§ 20-4.01. Definitions.**

8 Unless the context requires otherwise, the following definitions apply throughout this
9 Chapter to the defined words and phrases and their cognates:

10 ...
11 (7c) Electric Standup Scooter. – A device with no more than three twelve-inch or
12 smaller diameter wheels that has handlebars, is designed to be stood upon by
13 the user while riding, and is powered by an electric motor that is capable of
14 propelling the device with or without human propulsion at a speed no greater
15 than 20 miles per hour on a paved level surface.

16 (7e)(7d) Employer. – Any person who owns or leases a commercial motor vehicle
17 or assigns a person to drive a commercial motor vehicle and would be subject
18 to the alcohol and controlled substance testing provisions of 49 C.F.R. § 382
19 and also includes any consortium or third-party administrator administering
20 the alcohol and controlled substance testing program on behalf of
21 owner-operators subject to the provisions of 49 C.F.R. § 382.

22 ...
23 (23) Motor Vehicle. – Every vehicle which is self-propelled and every vehicle
24 designed to run upon the highways which is pulled by a self-propelled vehicle.
25 Except as specifically provided otherwise, this term shall not include ~~mopeds~~
26 ~~or mopeds,~~ electric assisted ~~bicycles-~~bicycles, or electric standup scooters.

27 ...
28 (27) Passenger Vehicles. –

29 ...
30 j. Moped. – A vehicle, other than a motor-driven ~~bicycle or bicycle,~~
31 electric assisted bicycle, or electric standup scooter, that has two or
32 three wheels, no external shifting device, a motor that does not exceed
33 50 cubic centimeters piston displacement and cannot propel the
34 vehicle at a speed greater than 30 miles per hour on a level surface.



The motor may be powered by electricity, alternative fuel, motor fuel, or a combination of each.

- ...
- (49) Vehicle. – Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks; provided, that for the purposes of this Chapter ~~bicycles and bicycles~~, electric assisted bicycles, and electric standup scooters shall be deemed vehicles and every rider of a ~~bicycle or bicycle~~, an electric assisted bicycle or electric standup scooter upon a highway shall be subject to the provisions of this Chapter applicable to the driver of a vehicle except those which by their nature can have no application. This term shall not include a device which is designed for and intended to be used as a means of transportation for a person with a mobility impairment, or who uses the device for mobility enhancement, is suitable for use both inside and outside a building, including on sidewalks, and is limited by design to 15 miles per hour when the device is being operated by a person with a mobility impairment, or who uses the device for mobility enhancement. This term shall not include an electric personal assistive mobility device as defined in subdivision (7b) of this section. Unless the context requires otherwise, and except as provided under G.S. 20-109.2, 47-20.6, or 47-20.7, a manufactured home shall be deemed a vehicle.

...."

SECTION 2. G.S. 20-51 is amended by adding a new subdivision to read:

"(18) Electric standup scooters as defined in G.S. 20-4.01(7c)."

SECTION 3. G.S. 58-37-1(6) reads as rewritten:

"(6) "Motor vehicle" means every self-propelled vehicle that is designed for use upon a highway, including trailers and semitrailers designed for use with such vehicles (except traction engines, road rollers, farm tractors, tractor cranes, power shovels, and well drillers). "Motor vehicle" also means a motorcycle, as defined in G.S. 20-4.01(27)h., and a moped, as defined in G.S. 20-4.01(27)j. "Motor vehicle" does not mean an electric assisted bicycle, as defined in ~~G.S. 20-4.01(7a)~~; G.S. 20-4.01(7a), or an electric standup scooter, as defined in G.S. 20-4.01(7c)."

SECTION 4. Article 3 of Chapter 20 of the General Statutes is amended by adding a new Part to read:

"Part 11D. Electric Standup Scooters.

"§ 20-175.7. Electric standup scooters.

(a) Electric Standup Scooter. – As defined in G.S. 20-4.01(7c).

(b) Exempt from Registration. – As provided in G.S. 20-51(18).

(c) Use of Device. – An electric standup scooter may be operated on public highways with posted speeds of 35 miles per hour or less, sidewalks, and bicycle paths. A person operating an electric standup scooter on a sidewalk or bicycle path shall yield the right-of-way to pedestrians and other human-powered devices. A person operating an electric standup scooter on a roadway shall be subject to the provisions of this Chapter applicable to the rider of a bicycle. An electric standup scooter may be parked on a sidewalk provided it does not impede normal and reasonable pedestrian traffic.

(d) Municipal Regulation. – Municipalities may regulate electric standup scooters in the following ways:

- (1) Use. – For the purpose of assuring the safety of persons using highways and sidewalks, municipalities having jurisdiction over public streets, sidewalks, alleys, bridges, and other ways of public passage may by ordinance regulate

1 the time, place, and manner of use, but not prohibit the operation or hiring, of
2 electric standup scooters. Municipalities may prohibit the use of electric
3 standup scooters on sidewalks and other ways of pedestrian passage within a
4 municipality to assure the safety of pedestrians.

5 (2) Licensing of persons offering scooters for hire. – Municipalities may require
6 persons offering electric standup scooters for hire to be licensed pursuant to
7 G.S. 160A-194; provided that, in the absence of any licensing ordinance or
8 regulation, a person may offer electric standup scooters for hire in compliance
9 with this Chapter and any applicable local ordinances."

10 **SECTION 5.** Any and all ordinances in effect on the effective date of this act or
11 hereinafter adopted by a municipality that conflict with the provisions of this act shall be null
12 and void. Upon the effective date of this act, any municipality that has adopted an ordinance or
13 regulation affecting standup electric scooters shall conduct a review of those ordinances and
14 regulations to ensure compliance with this act.

15 **SECTION 6.** This act is effective when it becomes law and applies to offenses
16 committed on or after that date.