



February 1, 2019

HOUSE BILL No. 1649

DIGEST OF HB 1649 (Updated January 30, 2019 9:23 am - DI 133)

Citations Affected: IC 9-13; IC 9-21; IC 9-25; IC 14-19.

Synopsis: Electric foot scooters. Provides that an electric foot scooter is not a motor vehicle for purposes of certain motor vehicle laws. Provides that an electric foot scooter has all rights and duties that apply to a person operating a bicycle. Exempts electric foot scooters from financial responsibility. Provides for certain equipment requirements for electric foot scooters. Allows an electric foot scooter to be parked on a sidewalk in certain instances. Makes conforming changes.

Effective: July 1, 2019.

Eberhart

January 24, 2019, read first time and referred to Committee on Roads and Transportation.
January 31, 2019, reported — Do Pass.

HB 1649—LS 6958/DI 132



February 1, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1649

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-49.2 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]: **Sec. 49.2. "Electric foot scooter" means a device:**
4 (1) **weighing not more than one hundred (100) pounds;**
5 (2) **designed to travel on not more than three (3) wheels in**
6 **contact with the ground;**
7 (3) **with handlebars and a floorboard that the rider uses to**
8 **stand on the device during operation; and**
9 (4) **powered by an electric motor that is capable of powering**
10 **the device with or without human propulsion at a speed not**
11 **more than twenty (20) miles per hour on a paved level**
12 **surface.**

13 **The term does not include a motor driven cycle, motor vehicle, or**
14 **motorcycle.**

15 SECTION 2. IC 9-13-2-105, AS AMENDED BY P.L.198-2016,
16 SECTION 133, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2019]: Sec. 105. (a) "Motor vehicle" means,

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1 except as otherwise provided in this section, a vehicle that is
 2 self-propelled. The term does not include a farm tractor, an implement
 3 of agriculture designed to be operated primarily in a farm field or on
 4 farm premises, **an electric foot scooter**, or an electric personal
 5 assistive mobility device.

6 (b) "Motor vehicle", for purposes of IC 9-21, means:

7 (1) a vehicle that is self-propelled; or

8 (2) a vehicle that is propelled by electric power obtained from
 9 overhead trolley wires, but not operated upon rails.

10 **The term does not include an electric foot scooter.**

11 (c) "Motor vehicle", for purposes of IC 9-32, includes a semitrailer,
 12 trailer, or recreational vehicle. **The term does not include an electric**
 13 **foot scooter.**

14 SECTION 3. IC 9-13-2-196, AS AMENDED BY P.L.257-2017,
 15 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2019]: Sec. 196. (a) "Vehicle" means, except as otherwise
 17 provided in this section, a device in, upon, or by which a person or
 18 property is, or may be, transported or drawn upon a highway. The term
 19 does not include the following:

20 (1) A device moved by human power.

21 (2) A device that runs only on rails or tracks.

22 (3) A wheelchair.

23 **(4) An electric foot scooter.**

24 (b) For purposes of IC 9-17, the term includes the following:

25 (1) Off-road vehicles.

26 (2) Manufactured homes or mobile homes that are:

27 (A) personal property not held for resale; and

28 (B) not attached to real estate by a permanent foundation.

29 (3) Watercraft.

30 (c) For purposes of IC 9-22 and IC 9-32, the term refers to a vehicle
 31 of a type that must be registered under IC 9-18-2 (before its expiration)
 32 or IC 9-18.1, other than an off-road vehicle or a snowmobile under
 33 IC 9-18-2.5 (before its expiration) or IC 9-18.1-14.

34 (d) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9,
 35 the term means a device for transportation by land or air. The term does
 36 not include an electric personal assistive mobility device.

37 SECTION 4. IC 9-21-1-3.5 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3.5. A local authority
 39 may not adopt by ordinance any prohibition against or restriction on the
 40 use of an **electric foot scooter or** electric personal assistive mobility
 41 device operated on a path set aside for the exclusive use of bicycles as
 42 set forth in IC 9-21-11-1(b).



1 SECTION 5. IC 9-21-9-0.5, AS AMENDED BY P.L.221-2014,
 2 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2019]: Sec. 0.5. (a) This chapter does not apply to the
 4 following:

- 5 (1) An electric personal assistive mobility device.
- 6 (2) A low speed vehicle.
- 7 (3) Except as provided in subsection (b), a golf cart or off-road
 8 vehicle.
- 9 (4) A motor driven cycle.

10 **(5) An electric foot scooter.**

11 (b) An ordinance adopted in accordance with IC 9-21-1-3(a)(14) or
 12 IC 9-21-1-3.3(a) may require a golf cart or off-road vehicle to display
 13 a slow moving vehicle emblem in accordance with section 3 of this
 14 chapter or a red or amber flashing lamp in accordance with section 4
 15 of this chapter. A fine assessed for a violation of an ordinance under
 16 this section shall be deposited in the general fund of the city, county,
 17 or town.

18 SECTION 6. IC 9-21-11-1 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) The parent of a
 20 child and the guardian of a protected person may not authorize or
 21 knowingly permit the child or protected person to violate this chapter.

22 (b) Subject to the exceptions stated, the provisions of this chapter
 23 applicable to bicycles **or electric foot scooters** apply whenever a
 24 bicycle **or an electric foot scooter** is operated upon a highway or a
 25 path set aside for the exclusive use of bicycles **and electric foot**
 26 **scooters.**

27 SECTION 7. IC 9-21-11-13.6 IS ADDED TO THE INDIANA
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2019]: **Sec. 13.6. (a) A person operating an**
 30 **electric foot scooter has all the rights and duties under this chapter**
 31 **that are applicable to a person riding a bicycle, except the**
 32 **following:**

- 33 (1) **Special regulations of this chapter.**
- 34 (2) **Those provisions of this chapter that by their nature have**
 35 **no application, including section 3 of this chapter.**

36 (b) **An electric foot scooter operated on a highway from one-half**
 37 **(1/2) hour after sunset until one-half (1/2) hour before sunrise must**
 38 **be equipped with the following:**

- 39 (1) **A lamp on the front exhibiting a white light visible from a**
 40 **distance of at least five hundred (500) feet to the front.**
- 41 (2) **A lamp on the rear exhibiting a red light visible from a**
 42 **distance of five hundred (500) feet to the rear or a red**



1 reflector visible from a distance of five hundred (500) feet to
 2 the rear.
 3 (c) An electric foot scooter must be equipped with a brake that
 4 will enable the person who operates the electric foot scooter to
 5 make the braked wheels skid on dry, level, clean pavement.
 6 (d) An electric foot scooter may be parked on a sidewalk in a
 7 way that does not impede the normal or reasonable movement of
 8 pedestrians or vehicle traffic.
 9 SECTION 8. IC 9-25-1-7, AS AMENDED BY P.L.198-2016,
 10 SECTION 539, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2019]: Sec. 7. This article does not apply to:
 12 (1) off-road vehicles;
 13 (2) snowmobiles; ~~or~~
 14 (3) Class B motor driven cycles; **or**
 15 (4) electric foot scooters.
 16 SECTION 9. IC 14-19-1-0.5, AS AMENDED BY P.L.221-2014,
 17 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2019]: Sec. 0.5. (a) "Motorized cart" means a conveyance that
 19 is:
 20 (1) motor driven, either by gas or electricity;
 21 (2) used to carry passengers or equipment; and
 22 (3) smaller than the types of motor vehicles required to be
 23 registered by the bureau of motor vehicles such as a:
 24 (A) passenger motor vehicle (as defined in IC 9-13-2-123);
 25 (B) recreational vehicle (as defined in IC 9-13-2-150); or
 26 (C) truck (as defined in IC 9-13-2-188).
 27 A motorized cart may be characterized as a golf cart, utility cart, or
 28 similar form of motor vehicle.
 29 (b) The term does not include:
 30 (1) an electric personal assistive mobility device (as defined in
 31 IC 9-13-2-49.3);
 32 (2) a motorcycle (as defined in IC 9-13-2-108);
 33 (3) a motor driven cycle (as defined in IC 9-13-2-104.1); ~~or~~
 34 (4) an off-road vehicle; **or**
 35 (5) an electric foot scooter (as defined in IC 9-13-2-49.2).



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1649, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1649 as introduced.)

SULLIVAN

Committee Vote: Yeas 12, Nays 0

