



Reprinted
February 19, 2019

HOUSE BILL No. 1649

DIGEST OF HB 1649 (Updated February 18, 2019 6:16 pm - DI 132)

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. Prohibits an electric foot scooter from operating on an interstate highway. Provides that a local authority, with respect to private roads and highways under the authority's jurisdiction, may regulate the standing or parking of electric foot scooters. Provides that a local authority, with respect to private roads and highways under the authority's jurisdiction, may regulate the operation of electric foot scooters. Makes conforming changes.

Effective: July 1, 2019.

Eberhart, Morris, Hamilton, Deal

January 24, 2019, read first time and referred to Committee on Roads and Transportation.
January 31, 2019, reported — Do Pass.
February 18, 2019, read second time, amended, ordered engrossed.

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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, AS AMENDED BY P.L.259-2013,
 38 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2019]: Sec. 3. (a) A local authority, with respect to private
 40 roads and highways under the authority's jurisdiction, in accordance
 41 with sections 2 and 3.3(a) of this chapter, and within the reasonable
 42 exercise of the police power, may do the following:



- 1 (1) Regulate the standing or parking of vehicles **and electric foot**
 2 **scooters.**
 3 (2) Regulate traffic by means of police officers or traffic control
 4 signals.
 5 (3) Regulate or prohibit processions or assemblages on the
 6 highways.
 7 (4) Designate a highway as a one-way highway and require that
 8 all vehicles operated on the highway be moved in one (1) specific
 9 direction.
 10 (5) Regulate the speed of vehicles in public parks.
 11 (6) Designate a highway as a through highway and require that all
 12 vehicles stop before entering or crossing the highway.
 13 (7) Designate an intersection as a stop intersection and require all
 14 vehicles to stop at one (1) or more entrances to the intersection.
 15 (8) Restrict the use of highways as authorized in IC 9-21-4-7.
 16 (9) Regulate the operation of bicycles **and electric foot scooters**
 17 and require the registration and licensing of bicycles, including
 18 the requirement of a registration fee.
 19 (10) Regulate or prohibit the turning of vehicles at intersections.
 20 (11) Alter the prima facie speed limits authorized under
 21 IC 9-21-5.
 22 (12) Adopt other traffic regulations specifically authorized by this
 23 article.
 24 (13) Adopt traffic regulations governing traffic control on public
 25 school grounds when requested by the governing body of the
 26 school corporations.
 27 (14) Regulate or prohibit the operation of low speed vehicles, golf
 28 carts, or off-road vehicles on highways in accordance with section
 29 3.3(a) of this chapter.
 30 (b) An ordinance or regulation adopted under subsection (a)(4),
 31 (a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), (a)(13), or (a)(14),
 32 is effective when signs giving notice of the local traffic regulations are
 33 posted upon or at the entrances to the highway or part of the highway
 34 that is affected.
 35 SECTION 5. IC 9-21-1-3.5 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3.5. A local authority
 37 may not adopt by ordinance any prohibition against or restriction on the
 38 use of an **electric foot scooter or** electric personal assistive mobility
 39 device operated on a path set aside for the exclusive use of bicycles as
 40 set forth in IC 9-21-11-1(b).
 41 SECTION 6. IC 9-21-9-0.5, AS AMENDED BY P.L.221-2014,
 42 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 0.5. (a) This chapter does not apply to the
2 following:

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

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

16 SECTION 7. IC 9-21-11-1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) The parent of a
18 child and the guardian of a protected person may not authorize or
19 knowingly permit the child or protected person to violate this chapter.

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

25 SECTION 8. IC 9-21-11-13.6 IS ADDED TO THE INDIANA
26 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
27 **[EFFECTIVE JULY 1, 2019]: Sec. 13.6. (a) A person operating an**
28 **electric foot scooter has all the rights and duties under this chapter**
29 **that are applicable to a person riding a bicycle, except the**
30 **following:**

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

34 **(b) An electric foot scooter operated on a highway from one-half**
35 **(1/2) hour after sunset until one-half (1/2) hour before sunrise must**
36 **be equipped with the following:**

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



1 (c) An electric foot scooter must be equipped with a brake that
2 will enable the person who operates the electric foot scooter to
3 make the braked wheels skid on dry, level, clean pavement.

4 (d) An electric foot scooter may be parked on a sidewalk in a
5 way that does not impede the normal or reasonable movement of
6 pedestrians or vehicle traffic.

7 (e) Notwithstanding any other law or provision, an electric foot
8 scooter may not be operated on an interstate highway.

9 SECTION 9. 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 10. 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

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1649 be amended to read as follows:

Page 2, between lines 36 and 37, begin a new paragraph and insert:
 "SECTION 4. IC 9-21-1-3, AS AMENDED BY P.L.259-2013, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) A local authority, with respect to private roads and highways under the authority's jurisdiction, in accordance with sections 2 and 3.3(a) of this chapter, and within the reasonable exercise of the police power, may do the following:

- (1) Regulate the standing or parking of vehicles **and electric foot scooters**.
- (2) Regulate traffic by means of police officers or traffic control signals.
- (3) Regulate or prohibit processions or assemblages on the highways.
- (4) Designate a highway as a one-way highway and require that all vehicles operated on the highway be moved in one (1) specific direction.
- (5) Regulate the speed of vehicles in public parks.
- (6) Designate a highway as a through highway and require that all vehicles stop before entering or crossing the highway.
- (7) Designate an intersection as a stop intersection and require all vehicles to stop at one (1) or more entrances to the intersection.
- (8) Restrict the use of highways as authorized in IC 9-21-4-7.
- (9) Regulate the operation of bicycles **and electric foot scooters** and require the registration and licensing of bicycles, including the requirement of a registration fee.

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(10) Regulate or prohibit the turning of vehicles at intersections.

(11) Alter the prima facie speed limits authorized under IC 9-21-5.

(12) Adopt other traffic regulations specifically authorized by this article.

(13) Adopt traffic regulations governing traffic control on public school grounds when requested by the governing body of the school corporations.

(14) Regulate or prohibit the operation of low speed vehicles, golf carts, or off-road vehicles on HIGHWAYS in accordance with section 3.3(a) of this chapter.

(b) An ordinance or regulation adopted under subsection (a)(4), (a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), (a)(13), or (a)(14), is effective when signs giving notice of the local traffic regulations are posted upon or at the entrances to the highway or part of the highway that is affected."

Renumber all SECTIONS consecutively.

(Reference is to HB 1649 as printed February 1, 2019.)

EBERHART

HOUSE MOTION

Mr. Speaker: I move that House Bill 1649 be amended to read as follows:

Page 4, between lines 8 and 9, begin a new paragraph and insert:

"(e) Notwithstanding any other law or provision, an electric foot scooter may not be operated on an interstate highway."

(Reference is to HB 1649 as printed February 1, 2019.)

PRYOR

