

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**SENATE BILL 620
PROPOSED COMMITTEE SUBSTITUTE S620-PCS45336-SU-47**

Short Title: Electric Standup Scooters.

(Public)

Sponsors:

Referred to:

April 4, 2019

A BILL TO BE ENTITLED
AN ACT TO DEFINE AND AUTHORIZE THE USE OF ELECTRIC STANDUP SCOOTERS.
The General Assembly of North Carolina enacts:

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

"§ 20-4.01. Definitions.

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

...

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

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

...

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

...

(27) Passenger Vehicles. –

...

j. Moped. – A vehicle, other than a motor-driven ~~bicycle or bicycle~~, electric assisted bicycle, or electric standup scooter, that has two or three wheels, no external shifting device, a motor that does not exceed 50 cubic centimeters piston displacement and cannot propel the 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.

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(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~~ 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.(a) The Legislative Research Commission (LRC) shall study the regulation of electric standup scooters in the State. As part of its study, the LRC shall do all of the following:

- (1) Examine current State and local laws and regulations that affect the operation of electric standup scooters on highways, sidewalks, and other public ways.
- (2) Examine current State and local laws and regulations that affect the operation of businesses that offer shared scooters for hire to the public.
- (3) Examine the challenges facing local governments with respect to regulating the operation of scooters and the operation of scooter share businesses, including issues of law enforcement authority, the extent of local regulatory authority, and data sharing.
- (4) Consider any proposed legislative changes needed to more effectively regulate the operation of scooters and the operation of scooter share businesses in the State.
- (5) Consider any other matters the LRC deems relevant.

SECTION 4.(b) The LRC shall report its findings, together with any proposed legislation, to the 2020 Regular Session of the 2019 General Assembly upon its convening.

SECTION 5. This act is effective when it becomes law and applies to offenses committed on or after that date.