

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 77  
Feb 13, 2019  
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10025-SUZ-1B

Short Title: Electric Standup Scooters. (Public)

Sponsors: Representatives Torbett, Presnell, Iler, and Shepard (Primary Sponsors).

Referred to:

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



1 ...  
 2 (49) Vehicle. – Every device in, upon, or by which any person or property is or  
 3 may be transported or drawn upon a highway, excepting devices moved by  
 4 human power or used exclusively upon fixed rails or tracks; provided, that for  
 5 the purposes of this Chapter ~~bicycles and bicycles~~, electric assisted ~~bicycles~~  
 6 bicycles, and electric standup scooters shall be deemed vehicles and every  
 7 rider of a ~~bicycle or bicycle~~, an electric assisted ~~bicycle-bicycle~~, or electric  
 8 standup scooter upon a highway shall be subject to the provisions of this  
 9 Chapter applicable to the driver of a vehicle except those which by their nature  
 10 can have no application. This term shall not include a device which is designed  
 11 for and intended to be used as a means of transportation for a person with a  
 12 mobility impairment, or who uses the device for mobility enhancement, is  
 13 suitable for use both inside and outside a building, including on sidewalks,  
 14 and is limited by design to 15 miles per hour when the device is being operated  
 15 by a person with a mobility impairment, or who uses the device for mobility  
 16 enhancement. This term shall not include an electric personal assistive  
 17 mobility device as defined in subdivision (7b) of this section. Unless the  
 18 context requires otherwise, and except as provided under G.S. 20-109.2,  
 19 47-20.6, or 47-20.7, a manufactured home shall be deemed a vehicle.

20 ...."

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

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

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

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

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

34 "Part 11D. Electric Standup Scooters.

35 "**§ 20-175.7. Electric standup scooters.**

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

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

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

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

47 (1) Use. – For the purpose of assuring the safety of persons using highways and  
 48 sidewalks, municipalities having jurisdiction over public streets, sidewalks,  
 49 alleys, bridges, and other ways of public passage may by ordinance regulate  
 50 the time, place, and manner of use, but not prohibit the operation or hiring, of  
 51 electric standup scooters. Municipalities may prohibit the use of electric

1                    standup scooters on sidewalks and other ways of pedestrian passage within a  
2                    municipality to assure the safety of pedestrians.  
3                    (2)    Licensing of persons offering scooters for hire. – Municipalities may require  
4                    persons offering electric standup scooters for hire to be licensed pursuant to  
5                    G.S. 160A-194; provided that, in the absence of any licensing ordinance or  
6                    regulation, a person may offer electric standup scooters for hire in compliance  
7                    with this Chapter and any applicable local ordinances."

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

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