

SENATE No. 2047

The Commonwealth of Massachusetts

PRESENTED BY:

Nick Collins

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to motorized scooter operating requirements.

PETITION OF:

NAME:

Nick Collins

DISTRICT/ADDRESS:

First Suffolk

SENATE No. 2047

By Mr. Collins, a petition (accompanied by bill, Senate, No. 2047) of Nick Collins for legislation relative to motorized scooter operating requirements. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to motorized scooter operating requirements.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of Chapter 90 of the General Laws, as appearing in the 2016
2 General Edition, is hereby amended by:-

3 In line 1 of the definition of “motorized scooter”, adding the words “weighing less than
4 100 pounds”.

5 In line 2 of the definition of “motorized scooter”, deleting the words “or gas powered”.

6 In line 4 of the definition of “motorized scooter”, adding the words “, with a maximum
7 speed of no more than 20 miles per hour”.

8 "Motorized scooter", any 2 wheeled tandem or 3 wheeled device that has handlebars,
9 designed to be stood or sat upon by the operator, powered by an electric or gas powered motor
10 that is capable of propelling the device with or without human propulsion, with a maximum
11 speed of no more than 20 miles per hour. The definition of "motorized scooter" shall not include
12 a motorcycle or motorized bicycle or a 3 wheeled motorized wheelchair.

13 In line 14 of the definition of “motor vehicles”, adding the words “or motorized scooters”
14 following “bicycles”.

15 "Motor vehicles", all vehicles constructed and designed for propulsion by power other
16 than muscular power including such vehicles when pulled or towed by another motor vehicle,
17 except railroad and railway cars, vehicles operated by the system known as trolley motor or
18 trackless trolley under chapter one hundred and sixty-three or section

19 ten of chapter five hundred and forty-four of the acts of nineteen hundred and forty-
20 seven, vehicles running only upon rails or tracks, vehicles used for other purposes than the
21 transportation of property and incapable of being driven at a speed exceeding twelve miles per
22 hour and which are used exclusively for the building, repair and maintenance of highways or
23 designed especially for use elsewhere than on the traveled part of ways, wheelchairs owned and
24 operated by invalids and vehicles which are operated or guided by a person on foot; provided,
25 however, that the exception for trackless trolleys provided herein shall not apply to sections
26 seventeen, twenty-one, twenty-four, twenty-four I, twenty-five and twenty-six. The definition of
27 "Motor vehicles" shall not include motorized bicycles or motorized scooters. In doubtful cases,
28 the registrar may determine whether or not any particular vehicle is a motor vehicle as herein
29 defined. If he determines that it should be so classified, he may require that it be registered under
30 this chapter, but such determination shall not be admissible as evidence in any action at law
31 arising out of the use or operation of such vehicle previous to such determination.

32 SECTION 2. Section 1E of Chapter 90 of the General Laws, as appearing in the 2016
33 General Edition, is hereby amended by:-

34 In line 1, deleting the words “by a person not possessing a valid driver's license or
35 learner's permit, nor”.

36 In lines 9 and 10 deleting the words “shall be equipped with operational stop and turn
37 signals so that the” and replacing the word “can” in line 10 with “shall”.

38 In line 12, deleting the sentence “No person shall operate a motor scooter upon any way
39 at any time after sunset or before sunrise.”

40 In line 12, adding to the conclusion of the paragraph the sentences “Motorized scooters
41 may be operated on bicycle lanes adjacent to the various ways. A motorized scooter may be
42 parked on a sidewalk in a manner not impeding the normal or reasonable movement of
43 pedestrian or other traffic.”

44 In line 13 adding the words “under age sixteen” following “scooter.”

45 Section 1E. A motorized scooter shall not be operated on any way at a speed in excess of
46 20 miles per hour. A person operating a motorized scooter upon a way shall have the right to use
47 all public ways in the commonwealth except limited access or express state highways where
48 signs specifically prohibiting scooters or bicycles have been posted, and shall be subject to all
49 traffic laws and regulations of the commonwealth and the regulations contained in this section,
50 except that: (1) a scooter operator shall keep to the right side of the road at all times, including
51 when passing a motor vehicle which is moving in the travel lane of the way; and (2) the scooter
52 operator shall keep both hands on the handlebars at all times. Motorized scooters may be
53 operated on bicycle lanes adjacent to the various ways. A motorized scooter may be parked on a
54 sidewalk in a manner not impeding the normal or reasonable movement of pedestrian or other
55 traffic.

56 A person operating a motorized scooter under age sixteen shall wear protective headgear
57 conforming with such minimum standards of construction and performance as the registrar may
58 prescribe. No person operating a motorized scooter shall permit any other person to ride as a
59 passenger on the scooter.