

**HOUSE . . . . . No. 3736**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Joseph W. McGonagle, Jr.*

*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 mopeds and scooters operating on public ways.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>2/17/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/23/2021</i>

**HOUSE . . . . . No. 3736**

By Mr. McGonagle of Everett, a petition (accompanied by bill, House, No. 3736) of Joseph W. McGonagle, Jr. and Jessica Ann Giannino relative to mopeds and scooters operating on public ways. Transportation.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to mopeds and scooters operating on public ways.

*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 most recently amended by  
2 section 1 of chapter 122 of the acts of 2019, is hereby amended by striking out the definition  
3 “Motorized bicycle” and inserting in place thereof the following definition:-

4 “Motorized bicycle” or “moped”, a pedal bicycle which has a helper motor, or a non-  
5 pedal bicycle which has a motor, with a cylinder capacity not exceeding 50 cubic centimeters, an  
6 automatic transmission, and which can operate at a speed between 15 and 30 miles per hour.

7 SECTION 2. Said section 1 of said chapter 90, as so amended, is hereby further amended  
8 by striking out the definition “Motorized scooter” and inserting in place thereof the following  
9 definition:-

10 “Motorized scooter”, any 2 wheeled tandem or 3 wheeled device that has handlebars, is  
11 designed to be stood or sat upon by the operator, is powered by an electric or gas powered motor  
12 that is capable of propelling the device with or without human propulsion at a speed in excess of

13 15 miles per hour. A “motorized scooter” shall not include a motorcycle or motorized bicycle or  
14 a 3 wheeled motorized wheelchair.

15 SECTION 3. Said chapter 90, as appearing in the 2018 Official Edition, is hereby  
16 amended by striking out section 1D and inserting in place thereof the following section:-

17 Section 1D. Notwithstanding any other general or special law to the contrary, motorized  
18 bicycles and motorized scooters shall be subject to requirements for the registration of motor  
19 vehicles as described in section 2. The fee for the registration of a motorized bicycle or  
20 motorized scooter shall be as set in clause 2 of section 33. The registrar shall furnish, to every  
21 person whose motorized bicycle or motorized scooter is registered under this chapter, 2 number  
22 plates of suitable design for display on said motorized bicycle or motorized scooter in  
23 accordance with section 6.

24 The owner or operator of a motorized bicycle or motorized scooter shall carry an  
25 insurance policy with minimum coverage of \$1,000 prior to operation of said motorized bicycle  
26 or motorized scooter.

27 If an individual operates a motorized bicycle or motorized scooter upon any way or in  
28 any place to which the public has a right of access, or any place to which members of the public  
29 have access as invitees or licensees, and without stopping and making known their name,  
30 residence and the register number of the motorized bicycle or motorized scooter goes away after  
31 knowingly colliding with or otherwise causing injury to any other vehicle or property, the owner  
32 of said motorized bicycle or motorized scooter shall be jointly and severally liable with the  
33 operator for said injury.

34 SECTION 4. Section 6 of said chapter 90, as so appearing, is hereby amended by  
35 inserting after the word “vehicle”, in line 1, the following words:- , motorized bicycle, motorized  
36 scooter.

37 SECTION 5. Section 9 of said chapter 90, as so appearing, is hereby amended by  
38 inserting after the word “vehicle”, in line 2, the first time it appears, the following words:- ,  
39 motorized bicycle, motorized scooter.

40 SECTION 6. Section 24 of said chapter 90, as so appearing, is hereby amended by  
41 inserting after the word “vehicle”, in line 896, the following words:- , motorized bicycle or  
42 motorized scooter.

43 SECTION 7. Said section 24 of said chapter 90, as so appearing, is hereby further  
44 amended by inserting after the word “vehicle”, in line 941, the following words:- , motorized  
45 bicycle or motorized scooter.

46 SECTION 8. Said section 24 of said chapter 90, as so appearing, is hereby further  
47 amended by inserting after the word “vehicle”, in line 951, the following words:- , motorized  
48 bicycle or motorized scooter.