



ARIZONA STATE SENATE
Fifty-Fourth Legislature, First Regular Session

FACT SHEET FOR S.B. 1398

miniature scooters, electric standup scooters

Purpose

Defines *electric miniature scooter* and *electric standup scooter*. Grants operators of such vehicles the same rights, privileges and duties as operators of bicycles.

Background

Under current statute a person riding a bicycle on a roadway or on a shoulder adjoining a roadway is granted all of the rights and privileges of the driver of a vehicle and is subject to all of the duties applicable to the driver of a vehicle ([A.R.S. § 28-812](#)). [Laws 2018, Chapter 224](#) defined an electric bicycle under three different classifications, each with specific propellant and speed specifications. A certificate of title, registration, vehicle license tax, emissions inspection, driver license or vehicle insurance policy is not required to operate a motorized electric, gas-powered or electric bicycle or tricycle.

The operator of a motorized electric or gas-powered bicycle or tricycle is exempt from safety equipment requirements subject to riders of motorcycles, all-terrain vehicles and motor driven cycles. Local authorities may adopt ordinances regulating or prohibiting operation of motorized electric or gas-powered bicycles or tricycles but may not require registration or licensing of the vehicles ([A.R.S. § 28-2516](#)).

There is no anticipated fiscal impact to the state General Fund associated with this proposed legislation.

Provisions

1. States that an operator of an *electric miniature scooter* and an *electric standup scooter* is granted all the rights and privileges and is subject to all of the duties of a person riding a bicycle.
2. Stipulates that an *electric miniature scooter* and an *electric standup scooter* are subject to the same statutory provisions as a bicycle unless otherwise regulated by a local authority.
3. Allows a local authority to consider the environmental and traffic benefits of electric bicycles, *electric miniature scooters* and *electric standup scooters* when regulating such vehicles.
4. Excludes an *electric miniature scooter* and an *electric standup scooter* from statutory provisions relating to certificates of title, registration, vehicle license tax, driver licenses or vehicle insurance.

FACT SHEET

S.B. 1398

Page 2

5. Allows *electric miniature scooters* and *electric standup scooters* to be used on bicycle and multiuse paths pursuant to permission from a local authority or agency of Arizona having jurisdiction over the paths.
6. Requires an *electric standup scooter* to have unique identification that consists of both letters and numbers and that complies with all of the following:
 - a) is visible from a distance of at least five feet;
 - b) is not obscured by brandings or markings; and
 - c) is used to identify the scooter in Arizona, applicable to all persons and local authorities.
7. Includes an *electric miniature scooter* or an *electric standup scooter* under in the definition of a moped.
8. Excludes an *electric miniature scooter* and an *electric standup scooter* from the definitions of motorcycle, motor-driven cycle, motor vehicle and vehicle.
9. Specifies that a *motorized skateboard* means a self-propelled device that does not have handlebars.
10. Defines an *electric standup scooter* as a device that fulfills all of the following:
 - a) weighs less than 75 pounds;
 - b) has two or three wheels;
 - c) has handlebars;
 - d) has a floorboard on which a person may stand while riding;
 - e) is powered by an electric motor or human power, or both;
 - f) has a maximum speed that does not exceed 20 miles per hour, with or without human propulsion, on a paved level surface; and
 - g) Does not include an electric miniature scooter.
11. Defines an *electric miniature scooter* as a device that fulfills all of the following:
 - a) weighs less than 30 pounds;
 - b) has two or three wheels;
 - c) has handlebars;
 - d) has a floorboard on which a person may stand while riding;
 - e) is powered by an electric motor or human power, or both; and
 - f) has a maximum speed that does not exceed 10 miles per hour, with or without human propulsion, on a paved level surface.
12. Makes technical and conforming changes.
13. Becomes effective on the general effective date.

Prepared by Senate Research

February 11, 2019

ZD/gs