

3rd Sub. H.B. 381
Electric Mobility Device Amendments

Representative **Paul A. Cutler** proposes the following amendments:

1. *Line 1023 through 1035:*

1023 sidewalk]on a highway.

1024 [(3)](5) [A person]An individual may not operate a motor assisted scooter:

1025 (a) in a public parking structure;

(b) on a freeway;

1026 {(b)} (c) on public property posted as an area prohibiting bicycles;

1027 {(e)} (d) while carrying more [persons]individuals at one time than the number for which it is
1028 designed;

1029 {(d)} (e) that has been structurally or mechanically altered from the original manufacturer's

1030 design, except for an alteration by, or done at the request of, a person who rents the

1031 motor assisted scooter to lower the maximum speed for the motor assisted scooter; or

1032 {(e)} (f) at a speed of greater than 15 miles per hour or in violation of Subsection

1033 41-6a-1115.1(3).

1034 [(4)](6) Except where posted or prohibited by local ordinance, a motor assisted scooter is

1035 considered a nonmotorized vehicle if it is being used with the motor turned off.

2. *Line 1341 through 1347:*

1341 on a highway.

1342 (4) The owner of a high power electric device may not authorize or knowingly permit an

1343 individual to operate a high power electric device in violation of this section.

(5) An individual may not operate a high power electric device on a freeway.

1344 {(5)} (6) (a) Beginning January 1, 2027, a commercial seller of any new or used vehicle shall

1345 clearly and conspicuously provide the disclosure described in Subsection {(4)(b)} (6)(b) to a

1346 prospective purchaser at the time of sale and in any advertising materials, online

1347 website, or social media post promoting the vehicle if the vehicle:

3. *Line 1348 through 1354:*

1348 (i) has fewer than four wheels;

1349 (ii) is powered by an electric motor; and

1350 (iii) is not an electric assisted bicycle.

1351 (b) The disclosure required under Subsection {(4)(a)} (6)(a) shall state; "THIS VEHICLE IS

1352 NOT AN "ELECTRIC ASSISTED BICYCLE" AS DEFINED BY UTAH MOTOR

1353 VEHICLE CODE AND IS INSTEAD A TYPE OF MOTOR VEHICLE AND
1354 SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC

4. *Line 1360 through 1364:*

1360 (c) A commercial seller of a new or used high power electric device shall inform
1361 prospective purchasers of state law requirements for insurance and registration
1362 applying to operators of high power electric devices.

1363 {(6)} (7) Except for offenses otherwise provided under this chapter, an individual who violates
1364 this section is guilty of an infraction.

5. *Line 1392 through 1401:*

1392 may not operate a high power electric device on a highway.

1393 (c) An individual who is younger than eight years old may not operate a personal
1394 electric vehicle on a highway.

(5) An individual younger than 16 years old may not operate a personal electric vehicle on a freeway.

1395 {(5)} (6) A person may not rent a personal electric vehicle to an individual under 16 years old
1396 unless the individual who will operate the personal electric vehicle:

1397 (a) presents the certificate described in Subsection (2)(c); or

1398 (b) is under direct supervision of the individual's parent or a responsible adult.

1399 {(6)} (7) (a) In addition to the governmental immunity granted in Title 63G, Chapter 7,
1400 Governmental Immunity Act of Utah, the state is immune from suit for any act, or
1401 failure to act, in any capacity relating to the personal electric vehicle safety education

6. *Line 1402 through 1411:*

1402 and training program.

1403 (b) The state is not responsible for any insufficiency or inadequacy in the quality of
1404 training provided by this program.

1405 {(7)} (8) A violation of this section by an operator of a personal electric vehicle:

1406 (a) does not constitute contributory or comparative negligence on the part of a party in
1407 an action for recovery of damages; and

1408 (b) may not be introduced as evidence in any civil litigation on the issue of negligence,
1409 injuries, or the mitigation of damages.

1410 {(8)} (9) A violation of this section is an infraction and a fine associated with a conviction
under

1411 this section may not exceed \$150 per offense.