

VIRGINIA ACTS OF ASSEMBLY -- 2009 RECONVENED SESSION

CHAPTER 795

An Act to amend and reenact §§ 46.2-908.1 and 46.2-914 of the Code of Virginia, relating to operation of electric personal assistive mobility devices, electrically powered toy vehicles, electric power-assisted bicycles and mopeds.

[H 2008]

Approved April 8, 2009

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-908.1 and 46.2-914 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-908.1. Electric personal assistive mobility devices, electrically powered toy vehicles, and electric power-assisted bicycles.

All electric personal assistive mobility devices, electrically powered toy vehicles, and electric power-assisted bicycles shall be equipped with spill-proof, sealed, or gelled electrolyte batteries. No person shall at any time or at any location drive an electric personal assistive mobility device, or an electric power-assisted bicycle faster than twenty-five miles per hour. No person less than fourteen years old shall drive any electric personal assistive mobility device, motorized skateboard or scooter, or electric power-assisted bicycle unless under the immediate supervision of a person who is at least eighteen years old.

An electric personal assistive mobility device or motorized skateboard or scooter may be operated on any highway with a maximum speed limit of twenty-five miles per hour or less. An electric personal assistive mobility device shall only operate on any highway authorized by this section if a sidewalk is not provided along such highway or if operation of the electric personal assistive mobility device on such sidewalk is prohibited pursuant to § 46.2-904. Nothing in this section shall prohibit the operation of an electric personal assistive mobility device or motorized skateboard or scooter in the crosswalk of any highway where the use of such crosswalk is authorized for pedestrians, bicycles, or electric power-assisted bicycles.

Operation of electric personal assistive mobility devices, electrically powered toy vehicles, bicycles and electric power-assisted bicycles is prohibited on any Interstate Highway System component except as provided by the section.

The Commonwealth Transportation Board may authorize the use of bicycles on an Interstate Highway System Component provided the operation is limited to bicycle or pedestrian facilities that are barrier separated from the roadway and automobile traffic and such component meets all applicable safety requirements established by federal and state law.

§ 46.2-914. Limitations on operation of mopeds.

A. No moped shall be driven on any highway or public vehicular area faster than 35 miles per hour. Any person who operates a moped faster than 35 miles per hour shall be deemed, for all the purposes of this title, to be operating a motorcycle.

B. No moped shall be driven on any highway by any person under the age of 16, and every person driving a moped shall carry with him some form of identification that includes his name, address, and date of birth.

C. Operation of mopeds is prohibited on any Interstate Highway System component.

Violation of this subsection shall constitute a traffic infraction punishable by a fine of no more than \$50.