093553824

1   **HOUSE BILL NO. 2008**
2   House Amendments in [ ] - February 6, 2009
3   *A BILL to amend and reenact §§ 46.2-908.1 and 46.2-914 of the Code of Virginia, relating to operation*
4   *of electric personal assistive mobility devices, electrically powered toy vehicles, electric*
5   *power-assisted bicycles and mopeds.*
6   —————
                Patron Prior to Engrossment—Delegate Brink
7   —————
8   Referred to Committee on Transportation
9   —————
10   **Be it enacted by the General Assembly of Virginia:**
11 **1. That §§ 46.2-908.1 and 46.2-914 of the Code of Virginia are amended and reenacted as follows:**
12   § 46.2-908.1. Electric personal assistive mobility devices, electrically powered toy vehicles, and
13 electric power-assisted bicycles.
14   All electric personal assistive mobility devices, electrically powered toy vehicles, and electric
15 power-assisted bicycles shall be equipped with spill-proof, sealed, or gelled electrolyte batteries. No
16 person shall at any time or at any location drive an electric personal assistive mobility device, or an
17 electric power-assisted bicycle faster than twenty-five miles per hour. No person less than fourteen years
18 old shall drive any electric personal assistive mobility device, motorized skateboard or scooter, or
19 electric power-assisted bicycle unless under the immediate supervision of a person who is at least
20 eighteen years old.
21   An electric personal assistive mobility device or motorized skateboard or scooter may be operated on
22 any highway with a maximum speed limit of twenty-five miles per hour or less. An electric personal
23 assistive mobility device shall only operate on any highway authorized by this section if a sidewalk is
24 not provided along such highway or if operation of the electric personal assistive mobility device on
25 such sidewalk is prohibited pursuant to § 46.2-904. Nothing in this section shall prohibit the operation of
26 an electric personal assistive mobility device or motorized skateboard or scooter in the crosswalk of any
27 highway where the use of such crosswalk is authorized for pedestrians, bicycles, or electric
28 power-assisted bicycles.
29   *Operation of electric personal assistive mobility devices, electrically powered toy vehicles, bicycles*
30 *and electric power-assisted bicycles is prohibited on any* [*~~(i)~~*] *Interstate Highway System component* [*~~,~~*
31 *~~(ii) other limited access highway, and (iii) highway where the Commonwealth Transportation Board has~~*
32 *~~prohibited their operation in the interest of safety and such prohibition is indicated by conspicuous signs~~*
33 *~~posted by the Department of Transportation~~*] *.*
34   § 46.2-914. Limitations on operation of mopeds.
35   A. No moped shall be driven on any highway or public vehicular area faster than 35 miles per hour.
36 Any person who operates a moped faster than 35 miles per hour shall be deemed, for all the purposes of
37 this title, to be operating a motorcycle.
38   B. No moped shall be driven on any highway by any person under the age of 16, and every person
39 driving a moped shall carry with him some form of identification that includes his name, address, and
40 date of birth.
41   *C. Operation of mopeds is prohibited on any* [*~~(i)~~*] *Interstate Highway System component* [*~~, (ii)~~*
42 *~~other limited access highway, and (iii) highway where the Commonwealth Transportation Board has~~*
43 *~~prohibited their operation in the interest of safety and such prohibition is indicated by conspicuous signs~~*
44 *~~posted by the Department of Transportation~~*] *.*
45   Violation of this subsection shall constitute a traffic infraction punishable by a fine of no more than
46 $50.
47 **[2. That the provisions of this act prohibiting the operation of bicycles on Interstate Highway**
48 **System components shall not apply where the Commonwealth Transportation Board has**
49 **authorized the use of bicycles provided the operation is limited to bicycle or pedestrian facilities**
50 **that are barrier separated from the roadway and automobile traffic, and such facilities meet all**
51 **applicable safety requirements established by federal and state law.]**