

HOUSE BILL NO. 588

INTRODUCED BY N. DURAM, M. CUFFE, D. HAWK, M. ROMANO

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING TRANSPORTATION LAWS; DEFINING "MOTORIZED SCOOTER"; PROVIDING REGULATIONS FOR MOTORIZED SCOOTERS; AND AMENDING SECTIONS 61-1-101, 61-3-317, 61-8-102, 61-8-601, 61-8-602, 61-8-603, 61-8-604, 61-8-606, 61-8-607, 61-8-608, AND 61-8-609, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-1-101, MCA, is amended to read:

"61-1-101. Definitions. As used in this title, unless the context indicates otherwise, the following definitions apply:

(1) (a) "Authorized agent" means a person who has executed a written agreement with the department and is specifically authorized by the department to electronically access and update the department's motor vehicle titling, registration, or driver records, using an approved automated interface, for specific functions or purposes on behalf of a third party.

(b) For purposes of this subsection (1), "person" means an individual, corporation, partnership, limited partnership, limited liability company, association, joint venture, state agency, local government unit, another state government, the United States, a political subdivision of this or another state, or any other legal or commercial entity.

(2) "Authorized agent agreement" means the written agreement executed between an authorized agent and the department that sets the technical and operational program standards, compliance criteria, payment options, and service expectations by which the authorized agent is required to operate in performing specific motor vehicle or driver-related record functions.

(3) "Autocycle" means a three-wheeled motorcycle that is equipped with safety belts, roll bars or roll hoops, a steering wheel, and seating that does not require the operator to straddle or sit astride it.

(4) "Bus" means a motor vehicle designed for carrying more than 10 passengers and used for the

across a roadway on and along a crosswalk where the use of a bicycle, ~~or moped, or motorized scooter~~ is prohibited by official traffic control devices.

(3) (a) Except as provided in subsections (1) and (2), a person operating a vehicle by human power on and along a sidewalk or across a roadway on and along a crosswalk has all the rights and duties applicable to a pedestrian under the same circumstances.

(b) A moped or motorized scooter may be operated on and along a sidewalk or a bicycle path only under human propulsion and may not be operated on or along a sidewalk or bicycle path if the moped or motorized scooter is under power from an independent power source.

(c) A moped or motorized scooter may be operated under human propulsion or an independent power source on a highway, in a designated bicycle lane on a highway, or on the shoulder of a highway."

Section 11. Section 61-8-609, MCA, is amended to read:

"61-8-609. Bicycle, ~~or moped, or motorized scooter~~ racing -- when lawful. (1) Bicycle, ~~or moped, or motorized scooter~~ racing on a highway is prohibited except as authorized in this section.

(2) Bicycle ~~or, moped, or motorized scooter~~ racing on a highway is lawful when a racing event is approved by state or local authorities on any highway under their respective jurisdictions. Approval of ~~bicycle or moped~~ highway racing events may be granted only under conditions that ensure reasonable safety for all race participants, spectators, and other highway users and that prevent unreasonable interference with traffic flow.

(3) By agreement with the approving authority, participants in an approved bicycle, ~~or moped, or~~ motorized scooter highway racing event may be exempted from compliance with any traffic laws otherwise applicable if traffic control is adequate to ensure the safety of all highway users."

COORDINATION SECTION. **Section 12. Coordination instruction.** If House Bill No. 99 and [this act] are passed and approved, and if both contain a section that amends 61-3-317, then [section 2 of this act], amending 61-3-317, is void.

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