

Amendment - 1st Reading/2nd House-blue - Requested by: Dave Fern - (S) Highways and Transportation

- 2025

69th Legislature 2025

Drafter: Rebecca Brown,

HB0588.001.002

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, AND 61-9-417, 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.

Amendment - 1st Reading/2nd House-blue - Requested by: Dave Fern - (S) Highways and Transportation

- 2025

69th Legislature 2025

Drafter: Rebecca Brown,

HB0588.001.002

Section 9. Section 61-8-607, MCA, is amended to read:

"61-8-607. Lamps and other equipment on bicycles, ~~and mopeds, or motorized scooters.~~ (1) A

bicycle, ~~or moped, or motorized scooter~~ when in use at dawn, dusk, or nighttime must be equipped with:

(a) a lamp on the front emitting a white light visible from a distance of at least 500 feet to the front.

In lieu of a lamp affixed to the bicycle, ~~or moped, or motorized scooter~~, a bicyclist ~~rider~~ may use a lamp with equal intensity and visibility affixed to the cyclist's ~~rider's~~ helmet and facing forward.

(b) facing the rear, either a lamp emitting a red light visible from a distance of at least 500 feet to the rear or a red reflector visible from a distance of at least 500 feet to the rear when illuminated by low-beam motor vehicle headlamps. In lieu of a lamp affixed to the bicycle, moped, or motorized scooter, a rider may use a red lamp with equal intensity and visibility affixed to the rider and facing the rear; and

(c) reflective material large and reflective enough to be visible from the left and right sides from a distance of at least 500 feet when illuminated by low-beam motor vehicle headlamps.

(2) A bicycle, ~~or moped, or motorized scooter~~ must be equipped with a brake enabling the operator to stop the bicycle ~~or, moped, or motorized scooter~~ within no more than 25 feet from a speed of 10 miles an hour on dry, level, clean pavement."

Section 10. Section 61-8-608, MCA, is amended to read:

"61-8-608. Bicycles ~~or, mopeds, or motorized scooters~~ on sidewalks and bike lanes. (1) Subject to the provisions of subsection (3)(b), a person operating a bicycle, ~~or moped, or motorized scooter~~ on and along a sidewalk or across a roadway on and along a crosswalk shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian.

(2) A person may not ride a bicycle, ~~or moped, or motorized scooter~~ on and along a sidewalk or 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

Amendment - 1st Reading/2nd House-blue - Requested by: Dave Fern - (S) Highways and Transportation

- 2025

69th Legislature 2025

Drafter: Rebecca Brown,

HB0588.001.002

1 applicable to a pedestrian under the same circumstances.

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

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

7

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

9 **"61-8-609. Bicycle, ~~or moped,~~ or motorized scooter racing -- when lawful.** (1) Bicycle, ~~or moped,~~
10 or motorized scooter racing on a highway is prohibited except as authorized in this section.

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

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

18

19 **Section 12.** Section 61-9-417, MCA, is amended to read:

20 **"61-9-417. Headgear required for minor motorcycle riders.** (1) (a) Except as provided in
21 subsection (1)(b), an operator and passenger under 18 years of age of a motorcycle, moped, motorized
22 scooter, or quadricycle operated on the streets or highways of this state shall wear protective headgear on the
23 head. The headgear must meet standards established by the department of justice.

24 (b) This section does not apply to an operator and passenger of an auticycle as defined in 61-1-
25 101 that is completely enclosed with a windshield, nonremovable doors, and a roof.

26 (2) A person may not operate a motorcycle, moped, motorized scooter, or quadricycle upon a
27 highway in the state unless all passengers under 18 years of age are in compliance with subsection (1)."