



2021 South Dakota Legislature

House Bill 1192

HOUSE TRANSPORTATION ENGROSSED

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: **Representative Chaffee**

1 **An Act to provide for the use of motorized foot scooters.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1.** That § 32-26-21.1 be AMENDED.

4 **32-26-21.1. Driving on sidewalk prohibited--Municipal restrictions on**
 5 **bicycle, motorized foot scooter, or electric personal assistive device operation--**
 6 **Violation as misdemeanor.**

7 No person may drive any vehicle other than a bicycle, motorized foot scooter, or
 8 an electric personal assistive device upon a sidewalk or sidewalk area except upon a
 9 permanent or duly authorized temporary driveway. The local governing body of a
 10 municipality may restrict a bicycle, motorized foot scooter, or an electric personal assistive
 11 device from operating upon a sidewalk or sidewalk area. A violation of this section is a
 12 Class 2 misdemeanor.

13 **Section 2.** That a NEW SECTION be added:

14 **32-26-21.4. Motorized foot scooter defined.**

15 For the purposes of §§ 32-26-21.1 to 32-26-21.5, inclusive, the term, motorized
 16 foot scooter, means a wheeled conveyance, with handlebars, designed to be stood or sat
 17 upon by the operator, and powered by an electric motor that is capable of propelling the
 18 device with or without human propulsion, and that has no more than two twelve inch or
 19 smaller diameter wheels and has a motor that is capable of a maximum speed of fifteen
 20 miles per hour on a flat surface with not more than one percent grade in any direction
 21 when the motor is engaged. An electric bicycle is not a motorized foot scooter.

22 **Section 3.** That a NEW SECTION be added:

1 **32-26-21.5. Motorized foot scooter--Exempt from certain vehicle**
2 **requirements.**

3 A motorized foot scooter is exempt from the provisions of chapters 32-3, 32-5, 32-
4 5A, 32-5B, 32-6B, 32-15, 32-20, 32-37, and 37-5.