



2022 South Dakota Legislature

House Bill 1084

SENATE TRANSPORTATION ENGROSSED

Introduced by: **Representative Ernie Otten**

1 **An Act to provide for the regulation of motorized foot scooters and to declare an**
 2 **emergency.**

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

4 **Section 1. That chapter 32-26 be amended with a NEW SECTION:**

5 Notwithstanding the provisions of § 32-25-27, a municipality may adopt, by
 6 ordinance, traffic regulations permitting the use of a motorized foot scooter on any street,
 7 bike path, or multi-use path within its platted boundaries.

8 **Section 2. That § 32-26-21.4 be AMENDED:**

9 **32-26-21.4.** For the purposes of §§ 32-26-21.1 to ~~32-26-21.5~~ 32-26-21.6,
 10 inclusive, the term, motorized foot scooter, means a wheeled conveyance, with
 11 handlebars, designed to be stood or sat upon by the operator, and powered by an electric
 12 motor that is capable of propelling the device with or without human propulsion, and that
 13 has no more than two twelve inch or smaller diameter wheels and has a motor that is
 14 capable of a maximum speed of fifteen miles per hour on a flat surface with not more than
 15 one percent grade in any direction when the motor is engaged. An electric bicycle is not a
 16 motorized foot scooter.

17 **Section 3. That § 32-26-21.5 be AMENDED:**

18 **32-26-21.5.** A motorized foot scooter is exempt from the provisions of chapters
 19 32-3, 32-5, 32-5A, 32-5B, 32-6B, 32-14, 32-15, 32-20, 32-35, 32-37, and 37-5.

20 **Section 4.** Whereas, this Act is necessary for the support of the state government and its
 21 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
 22 full force and effect from and after its passage and approval.