AN ACT relative to electric personal assistive mobility devices.


COMMITTEE: Transportation

ANALYSIS

This bill establishes operating requirements and restrictions for electric personal assistive mobility devices, as defined in the bill. This bill also establishes an electric personal assistive mobility devices oversight committee to study the integration of electric personal assistive mobility devices with pedestrian traffic.

Explanation: Matter added to current law appears in bold italics.

Matter removed from current law appears [in brackets and struckthrough.]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Two

AN ACT relative to electric personal assistive mobility devices.

Be it Enacted by the Senate and House of Representatives in General Court convened:

4:1 Declaration of Purpose. This bill responds to a major innovation in personal travel for the citizens of New Hampshire.

I. The "electric personal assistive mobility device," developed and manufactured in New Hampshire, employs advances in technology and energy efficiency to fully and safely integrate the user with pedestrian transportation, while enabling New Hampshire individuals to travel farther and carry more without use of traditional vehicles, thereby promoting gains in productivity, minimizing environmental impact, and facilitating better use of public ways.
II. Comprehensive legislation regulating use of the “electric personal assistive mobility device” is required, in light of its unique and innovative capabilities, to foster its successful introduction and integration with other forms of transportation.

4:2 Motor Vehicles; Words and Phrases Defined; Motor Vehicle; Road Tolls; Electric Personal Assistive Mobility Devices Excepted. Amend RSA 259:60, IV to read as follows:

IV. For purposes of the road toll statutes, all vehicles, engines, machines, or mechanical contrivances, except electric personal assistive mobility devices as defined in RSA 269:1, which are propelled on the public highways by internal combustion engines, electric motors, steam engines, or other alternate sources of energy except human or animal power.

4:3 New Chapter; Electric Personal Assistive Mobility Devices. Amend RSA by inserting after chapter 268 the following new chapter:

CHAPTER 269

ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

269:1 Definition. In this chapter, “electric personal assistive mobility device” or “EPAMD” shall mean a self-balancing, 2 non-tandem-wheeled device designed to transport only one person, solely powered by an electric propulsion system, with a maximum speed of less than 20 miles per hour.

269:2 Applicable Law. An EPAMD shall not be considered a “vehicle” within the meaning of the law of this state.

269:3 Equipment. An EPAMD shall be equipped with front, rear, and side reflectors; a system that when employed will enable the operator to bring the device to a controlled stop; and, if the EPAMD is operated between 1/2 hour after sunset and 1/2 hour before sunrise, a lamp emitting a white light which, while the EPAMD is in motion, sufficiently illuminates the area in front of the operator.

269:4 Operation Permitted on Sidewalks and Roadways. An operator of an EPAMD shall have the rights and duties of pedestrians prescribed in RSA 265:34-40.

269:5 Special Rules for Operation.

I. A person operating an EPAMD on a sidewalk or roadway, shall exercise due care to avoid colliding with, and shall yield the right-of-way to, persons traveling on foot.

II. No EPAMD shall be operated at a speed greater than 15 miles per hour.

269:6 Parking.

I. An EPAMD may be parked on a sidewalk unless prohibited or restricted by an official traffic control device.

II. An EPAMD shall not be parked on a roadway in such a manner as to prevent the movement of a legally parked motor vehicle.

III. In all other respects, any person operating an EPAMD shall conform with provisions of law regulating the parking of vehicles.

IV. All violations of parking restrictions shall be deemed the responsibility of the owner of the EPAMD. The owner shall be presumed to be in control of the EPAMD at the time of the parking violation, and no evidence of actual control or culpability need be proved as an element of the offense.

269:7 Hazardous Materials. No person shall carry or transport on an EPAMD hazardous materials.

269:8 Additional Regulations. A city or town shall have the authority to regulate the operation of EPAMDS within its limits. The provisions of RSA 269:3, 269:4, and 269:5 shall not supersede the provisions of any local ordinance.

269:9 Violation. Any person who violates any provision of this chapter shall be guilty of a violation.

4:4 Electric Personal Assistive Mobility Devices Oversight Committee.
I. There is established the electric personal assistive mobility device oversight committee consisting of the following members:

(a) Three members of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(c) The commissioner of safety, or designee.

(d) One municipal official, appointed by the president of the senate.

(e) One municipal official, appointed by the speaker of the house of representatives.

II. The oversight committee shall study the integration of electric personal assistive mobility devices with pedestrian traffic in New Hampshire, including such rules of operation as may be appropriate, and any other issues relating thereto.

III. The members of the oversight committee shall elect a chairperson from among the members. Five members of the committee shall constitute a quorum.

IV. The oversight committee shall submit a report on or before November 1, 2002 to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library. The duties of the oversight committee shall terminate upon submission of the report.

4:5 Effective Date. This act shall take effect upon its passage.

(Approved: February 15, 2002)

(Effective Date: February 15, 2002)