

BILL ANALYSIS

Senate Research Center
77R3893 DWS-D

H.B. 1378
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State Affairs
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Engrossed

DIGEST AND PURPOSE

Under current law, motorized mobility devices used by persons with disabilities are classified as motor vehicles. As such, all persons using a wheelchair or scooter are technically required to register with the state and have a license to operate these devices. This classification also prevents motorized mobility devices from being lawfully operated on sidewalks. H.B. 1378 exempts the owner of a motorized mobility device from vehicle registration requirements and allows such devices to be operated on sidewalks.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 502F, Transportation Code, by adding Section 502.2861, as follows:

Sec. 502.2861. Provides that the owner of a motorized mobility device, as defined by Section 542.008, is not required to register the motorized mobility device.

SECTION 2. Amends Chapter 542A, Transportation Code, by adding Section 542.008, as follows:

Sec. 542.008. OPERATORS OF CERTAIN MOBILITY DEVICES. Defines “motorized mobility device.” Provides that, for the purposes of this subtitle, a person operating a nonmotorized wheelchair or motorized mobility device is considered to be a pedestrian.

SECTION 3. Amends Section 552.006(a), Transportation Code, to prohibit a pedestrian from walking along and on a roadway if an adjacent sidewalk is provided and is accessible to the pedestrian.

SECTION 4. Effective date: upon passage or September 1, 2001.