



## Driving on the Right Side of the Road Things with Wheels & Scooter Safety



### JUST THE FACTS

- Kick scooters are being used by people of all ages in Texas, the United States and around the world for commuting and for play.<sup>1</sup>
- Children under eight should be supervised when using scooters; almost 1/3 of all scooter-related injuries and accidents involve children under the age of eight.<sup>2</sup>

### IT'S THE LAW

- A motorized scooter does not have a legal vehicle classification so it can be registered as either a moped or motorcycle. Riders will be required to have a class M license.<sup>3</sup>

| Term  | Statute(s)                           | Definition(s)  |
|---|--------------------------------------|--|
| All Terrain Vehicle                           | 502.001(1), T.C.                     | (A) equipped with a saddle for the use of the rider<br>(B) designed to propel itself with three or more tires in contact with the ground<br>(C) designed by the manufacturer for off-highway use by the operator only<br>(D) not designed by the manufacturer primarily for farming or lawn care   |
| Bicycle                                       | 541.201(2), T.C.<br>551.105(a), T.C. | <ul style="list-style-type: none"> <li>• "Bicycle" means a device that a person may ride and that is propelled by human power and has two tandem wheels at least one of which is more than 14 inches in diameter.</li> <li>• "Bicycle" means a non-motorized vehicle propelled by human power.</li> </ul>  |
| Electric Bicycle                              | 541.201(24), T.C.                    | (A) is a "Bicycle" designed to be propelled by an electric motor, exclusively or in combination with the application of human power<br>(B) cannot attain a speed of more than 20 miles per hour without the application of human power<br>(C) does not exceed a weight of 100 pounds   |
| Electronic Personal Assistive Mobility Device | 551.201, T.C.                        | A device designed for transporting one person that is:<br>(1) two wheeled non-tandem<br>(1) self-balancing<br>(2) propelled by an electric propulsion system with an average power of 750 watts or one horsepower  |
| Golf Cart                                     | 502.001(18), T.C.                    | A motor vehicle designed by the manufacturer primarily for use on a golf course.   |
| Light Truck                                   | 541.201(7), T.C.                     | A truck, including a pickup truck, panel delivery truck, or carryall truck, that has a manufacturer's rated carrying capacity of 2,000 pounds or less.   |
| Moped   | 541.201(8), T.C.                     | A motor-driven cycle that cannot attain a speed in one mile of more than 30 miles per hour and the engine of which:<br>(A) cannot produce more than two-brake horsepower<br>(B) if an internal combustion engine, has a piston displacement of 50 cubic centimeters or less and connects to a power drive system that does not require the operator to shift gears |
| Motor Assisted Scooter                        | 551.351(1), T.C.                     | A self-propelled device with:<br>(A) at least two wheels in contact with the ground during operation   |

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|                               |  | <p>(B) a braking system capable of stopping the device under typical operating conditions</p> <p>(C) a gas or electric motor not exceeding 40 cubic centimeters</p> <p>(D) a deck designed to allow a person to stand or sit while operating the device</p> <p>(E) the ability to be propelled by human power alone</p> <p>(F) does not fit the definition of pocket bike or minimotorbike</p>  |
| Motor Vehicle                 | 541.201(11),<br>T.C.<br><br>502.001(13),<br>T.C. | <ul style="list-style-type: none"> <li>• A self-propelled vehicle or a vehicle that is propelled by electric power from overhead trolley wires. The term does not include an electric bicycle or an electric personal assistive mobility device.</li> <li>• "Motor vehicle" means a vehicle that is self-propelled.</li> </ul>  |
| Motorcycle                    | 541.201(9),<br>T.C.<br><br>502.001(12),<br>T.C.  | <ul style="list-style-type: none"> <li>• A motor vehicle, other than a tractor, that is equipped with a rider's saddle and designed to have when propelled not more than three wheels on the ground.</li> <li>• "Motorcycle" also means a motor vehicle designed to propel itself with not more than three wheels in contact with the ground. The term does not include a tractor.</li> </ul>   |
| Motor-driven Cycle            | 541.201(10),<br>T.C.                             | A motorcycle equipped with a motor that has an engine piston displacement of 250 cubic centimeters or less. The term does not include an electric bicycle.  |
| Motorized Mobility Device     | 542.009, T.C.                                    | <p>A device designed for transportation of persons with physical disabilities that:</p> <ol style="list-style-type: none"> <li>(1) has three or more wheels</li> <li>(2) is propelled by a battery-powered motor</li> <li>(3) has not more than one forward gear</li> <li>(4) is not capable of speeds exceeding eight miles per hour</li> </ol> <p>* For the purposes of this subtitle, a person operating a non-motorized wheelchair or motorized mobility device is considered to be a pedestrian.</p>   |
| Neighborhood Electric Vehicle | 551.301(1),<br>T.C.                              | A vehicle with a maximum speed of 35 MPH on a paved level surface that otherwise complies with Federal Motor Vehicle Safety Standard 500 (49 C.F.R. Section 571.500).   |
| Operator                      | 541.001(1),<br>T.C.                              | "Operator" means, as used in reference to a vehicle, a person who drives or has physical control of a vehicle.  |
| Pocket Bike or Minimotorbike  | 551.351(2)                                       | <p>Self propelled vehicle equipped with an electric or internal combustion engine</p> <ol style="list-style-type: none"> <li>(1) piston displacement of less than 50 cc</li> <li>(2) not more than two wheels in contact with the ground</li> <li>(3) seat or saddle for the operator</li> <li>(4) not designed for use on a highway</li> <li>(5) not eligible for a certificate of title</li> <li>(6) does not fit definition of moped, motorcycle, electric bicycle, motorized mobility device, electric personal assistive mobility device, or a neighborhood electric vehicle.</li> </ol> |
| Passenger Car                 | 541.201(12),<br>T.C.                             | <ul style="list-style-type: none"> <li>• A motor vehicle, other than a motorcycle, used to transport persons and designed to accommodate 10 or fewer passengers, including the operator.</li> </ul>   |
| Passenger Vehicle             | 545.412(f)(2),<br>T.C.                           | A passenger car, light truck, sport utility vehicle, passenger van, truck, or truck tractor designed to transport 15 or fewer passengers.   |

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| Public Highway | 502.001(18),<br>T.C.                             | "Public highway" includes a road, street, way, thoroughfare, or bridge:<br>(A) that is in this state<br>(B) that is for the use of vehicles<br>(C) that is not privately owned or controlled<br>(D) over which the state has legislative jurisdiction under its police power.  |
| Traffic        | 541.301, T.C.                                    | Pedestrians, ridden or herded animals, and conveyances, including vehicles and streetcars, singly or together while using a highway for the purposes of travel.  |
| Truck          | 541.201(21),<br>T.C.                             | A motor vehicle designed, used, or maintained primarily to transport property.   |
| Truck Tractor  | 541.201(22),<br>T.C.                             | A motor vehicle designed and used primarily to draw another vehicle but not constructed to carry a load other than a part of the weight of the other vehicle and its load.   |
| Vehicle        | 541.201(23),<br>T.C.<br><br>502.001(24),<br>T.C. | <ul style="list-style-type: none"> <li>• A device that can be used to transport or draw persons or property on a highway. The term does not include: a device exclusively used on stationary rails or tracks; or manufactured housing as that term is defined by Chapter 1201, Occupations Code.</li> <li>• "Vehicle" means a device in or by which a person or property is or may be transported or drawn on a public highway, other than a device used exclusively on stationary rails or tracks.</li> </ul> |

## KEEP IT SAFE

When used safely, electric scooters, gas scooters, ATV's, pocket bikes, go-karts and similar motorized products are great fun! However, they are motorized and require an added level of precaution from their rider. Whether riding a motorized or non-motorized vehicle, please take note of the following safety recommendations:

- Motorists have a difficult time spotting scooters on the road because scooters are compact and easy to overlook with a quick glance in the mirror. Scooters can be used safely, but riders must take proper precautions<sup>4</sup>
- Observe the basic rules of the road anywhere you use scooters:
  - Stop at every stop sign. Look left, right, and left again, before proceeding.
  - Stop at the end of the driveway. Look left, right, left before entering the street.
  - Use proper hand signals.
  - Obey traffic signs and signals.
  - Obey the speed limits and never travel faster than your skill level or than the conditions allow.
- Search around you for potential hazards.
  - Stay alert and make yourself seen - Motor vehicles, particularly large trucks, have numerous blind spots, especially for something as compact as a motor scooter.
  - Keep both hands on the handlebars and both feet on the floorboards while riding.
- Evaluate any possible hazards, such a turning cars, railroad tracks, etc.
  - Signal - Give plenty of notice when you are about to turn or change lanes. In a scooter versus vehicle scuffle, the scooter is always the underdog.
  - Don't ride in another motorist's "blind spot."
  - Use your horn - If someone is about to do something potentially unsafe, give a BEEP to alert them to your presence.
  - Ride scooters on smooth, paved surfaces free from traffic – stay away from cars or other vehicles. Avoid riding on streets or surfaces with water, sand, gravel or dirt.
  - Ride your scooter on the sidewalk or paved off-road paths
  - Avoid gravel, sand, and dirt - try to keep your scooter on smooth surfaces
  - Smooth, paved surfaces are best - avoid bumpy, uneven, wet or rocky ones.
  - Be especially careful for pedestrians on sidewalks, who always have the right of way.

- Execute the proper action to avoid the hazard.
  - Wear a helmet. Having a helmet not only protects your head in the event of a collision, but it also reduces wind noise, minimizes debris in your face and eyes and even helps protect you in extreme temperatures.
    - Selecting a Helmet: Measure around your head about one inch above the eyebrows. Select a helmet with a size range that includes your head size. The helmet should be worn straight and level, resting straight on top of the head, low on the forehead, just above the eyebrows with the rim level from front to back.
  - Wear bright colors, get reflective clothing and add reflective strips to your helmet and boots - Anything you can do to help bring attention to yourself when you're on the road will help ensure that other drivers know you're there.<sup>5</sup>
  - Always ride your scooter during the daytime
  - Never hitch a ride from a car, bus, truck, bicycle, etc., and limit usage of the scooter to one person at a time.
  - Exercise caution when riding a scooter downhill. If a steep hill is encountered, step off the scooter and walk to the bottom of the hill.
- Protection - Safety gear is a must. Be sure protective gear fits properly and does not interfere with the rider's movement, vision or hearing. This includes:
  - Helmet - a well fitting bicycle helmet that meets the Consumer Product Safety Commission (CPSC) guidelines. (There will be a CPSC sticker on the box or inside the helmet if the standards have been met for that helmet.)
  - Knee, elbow and wrist pads - the same that would be used for in-line skating.
    - If there are no wrist guards, well fitting gloves that protect the hands are a must.
  - Shoes - should be durable, sturdy and comfortable. Athletic shoes work well, but NO SANDALS!

Adapted from [Kick Scooter Safety Fact Sheet](#),<sup>6</sup> [Scooter Safety from Consumer Product Safety Commission](#),<sup>7</sup> [Scooter Safety, A Guide to Using Scooters Safely, for Parents, Kids, and All Scooter Users](#),<sup>8</sup> [GS MotorWorks](#),<sup>9</sup> [Scooter City, Mobility Scooters, Recreational Scooters, Electric Bikes and More](#),<sup>10</sup> [Scooter Data](#),<sup>11</sup> and [Scooter Safety](#).<sup>12</sup>

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<sup>1</sup> Texas A&M System, AgriLIFE Extension, *Kick Scooter Safety Fact Sheet*, Retrieved on December 1, 2011, from [http://fcs.tamu.edu/safety/passenger\\_safety/pdf/kick\\_scooter\\_safety\\_fact\\_sheet.pdf](http://fcs.tamu.edu/safety/passenger_safety/pdf/kick_scooter_safety_fact_sheet.pdf) (hereinafter referred as *Kick Scooter Safety Fact Sheet*)

<sup>2</sup> GS MotorWorks, *Street Scooters – Riding Safety Tips*, Retrieved on November 30, 2011, from [http://www.gsmotorworks.com/riding\\_safety\\_tips/c8/Riding\\_Life.cfm](http://www.gsmotorworks.com/riding_safety_tips/c8/Riding_Life.cfm)

<sup>3</sup> <http://www.txdps.state.tx.us/msb/msbfaqs.htm>

<sup>4</sup> Scooter Safety, *A Guide to Using Scooters Safely, for Parents, Kids, and All Scooter Users*, Retrieved on November 30, 2011, from [http://www.northernsites.com/scooter\\_safety/](http://www.northernsites.com/scooter_safety/) (hereinafter referred as *A Guide to Using Scooters Safely, for Parents, Kids, and All Scooter Users*)

<sup>5</sup> Geico, *Scooter Safety, Safety Tips and Preparedness for the Scooter Rider*, Retrieved on December 1, 2011, from <http://www.geico.com/information/safety/motorcycle/scooter-safety/>

<sup>6</sup> See *Kick Scooter Safety Fact Sheet* - endnote 1.

<sup>7</sup> Scooter Safety from Consumer Product Safety Commission, Retrieved on November 30, 2011, from <http://www.cpsc.gov/kids/kidsafety/scoot.html>

<sup>8</sup> See *A Guide to Using Scooters Safely, for Parents, Kids, and All Scooter Users* - endnote 4.

<sup>9</sup> See *GS Motorworks* - endnote 2.

<sup>10</sup> Scooter City, *Mobility Scooters, Recreational Scooters, Electric Bikes and More*, Retrieved on November 30, 2011, from <http://www.scooter-city.com/scooters-for-kids.htm>

<sup>11</sup> U.S. Consumer Product Safety Commission (CPSC), *Scooter Data*, Retrieved on December 1, 2011, from <http://cpsc.gov/pr/prscoot.html>

<sup>12</sup> Urban Scooters, *Scooter Safety*, Retrieved on December 1, 2011, from <http://urbanscooters.com/cgi-bin/urbanscooters/electric-scooters-scooter-safety.html>

# THE BIG THREE – REGISTRATION, INSPECTION, AND FINANCIAL RESPONSIBILITY REQUIREMENTS

|  | Registration   | Inspection  | Financial Responsibility  |
|--|--|---|---|
| <b>General Rule</b>                                  | Transportation Code §502.040—Motor vehicles, trailers, and semitrailers must be registered within 30 days after purchasing a vehicle or becoming a Texas resident.   | Transportation Code §548.051—Those motor vehicles registered in this state must be inspected (list of vehicles not required to be inspected found at Transportation Code §548.052). | Transportation Code §601.051—Cannot operate a motor vehicle unless financial responsibility is established for that vehicle (motor vehicle defined in §601.002(5)).   |
| <b>“All-Terrain Vehicles”</b>                        | Transportation Code §502.140(a)—Cannot be registered for operation on a public highway EXCEPT state, county, or municipality may register all-terrain vehicle for operation on any public beach or highway to maintain public safety and welfare.              | Not required.   | Required if all-terrain vehicle is designed for use on a highway.<br><br>Not required if all-terrain vehicle is not designed for use on a highway (see definition of motor vehicle in Transportation Code §601.002(5)).                           |
| <b>“Custom Vehicle”</b>                              | Transportation Code §504.501—Special registration procedures for custom vehicles.  | Not required; must instead pass initial safety inspection at time of registration.  | Required.   |
| <b>“Electric Bicycles”</b>                           | Transportation Code §502.143—Cannot be registered for operation on a public highway.   | Not required.   | Not required—not a motor vehicle under Transportation Code §541.201(11).  |
| <b>“Electric Personal Assistive Mobility Device”</b> | Transportation Code §502.143— Cannot be registered for operation on a public highway.  | Not required.   | Not required—not a motor vehicle under Transportation Code §601.002(5) or §541.201(11).   |
| <b>“Golf Carts”</b>                                  | Transportation Code §551.402—Cannot be registered for operation on a public highway.   | Not required; must display a slow-moving-vehicle emblem under Transportation Code §547.703.   | No financial responsibility for golf carts operated only as authorized by Transportation Code §551.403.   |
| <b>“Moped”</b>                                       | Transportation Code §502.007—Registration required (treat as a motorcycle).  | Required.   | Required.   |
| <b>“Motorcycle”</b>                                  | Transportation Code §502.002 and §502.405—Motor vehicle, registration required.  | Required.   | Required.   |
| <b>“Motorized Mobility Device”</b>                   | Transportation Code §502.143— Cannot be registered for operation on a public highway.  | Not required.   | Not required—not a motor vehicle.   |
| <b>“Neighborhood Electric Vehicle”</b>               | Transportation Code §551.302—The Texas Department of Motor Vehicles may adopt rules relating to registration. (Has not done so)  | Only if required to be registered. (Not at this time)   | Not required.   |
| <b>“Pocket Bike or Minimotorbike”</b>                | Chapter 502, Transportation Code contains no provisions for registration.  | Not required.   | Not required—not designed for use on highway.   |
| <b>“Power Sweepers”</b>                              | Transportation Code §502.143— Cannot be registered for operation on a public highway.  | Not required.   | Unclear—sweeper implement itself might not be a motor vehicle, but the vehicle on which it is mounted would be considered a motor vehicle.  |
| <b>“Recreational Off-Highway Vehicles”</b>           | Transportation Code §502.140(a)—Cannot be registered for operation on a public highway EXCEPT state, county, or municipality may register recreational off-highway vehicle for operation on any public beach or highway to maintain public safety and welfare. | Not required.   | Required if recreational off-highway vehicle is designed for use on a highway.<br><br>Not required if recreational off-highway vehicle is not designed for use on a highway (see definition of motor vehicle in Transportation Code §601.002(5)). |
| <b>“Street Rod”</b>                                  | Transportation Code §504.501—Special registration procedures for street rods.  | Not required; must instead pass initial safety inspection at time of registration.  | Required.   |

