

DRAFT – MODEL LOCAL USE VEHICLE LAW WITH TIERS

Chapter 1 – Definitions

Section 101:

- (1) "Local Use Vehicle" or "LUV" shall mean a motor-assisted or motor-powered vehicle or device not otherwise defined, classified, or otherwise regulated in state law that meets the requirements of one of the following three tiers:
 - a. "Tier 0 Local Use Vehicle" shall mean a vehicle whose manufacturer's maximum design speed does not exceed twenty (20) miles per hour, a gross vehicle weight rating not exceeding five hundred (500) pounds, a maximum width not exceeding thirty-six (36) inches, and a maximum length not exceeding one hundred two (102) inches.
 - b. "Tier 1a Local Use Vehicle" shall mean a vehicle whose manufacturer's maximum design speed does not exceed sixteen (16) miles per hour, a gross vehicle weight rating not exceeding two thousand (2,000) pounds, a maximum width not exceeding forty-eight (48) inches
 - c. "Tier 1b Local Use Vehicle" shall mean a vehicle whose manufacturer's maximum design speed does not exceed twenty (20) miles per hour, a gross vehicle weight rating not exceeding two thousand (2,000) pounds, a maximum width not exceeding forty-eight (48) inches
 - d. "Tier 2 Local Use Vehicles" shall mean a vehicles whose manufacturer's maximum design speed does not exceed thirty-five (35) miles per hour, a gross vehicle weight rating not exceeding three thousand (3000) pounds, and a maximum width not exceeding sixty (60) inches.
- (2) "Bicycle facility" means any physical facility provided for the exclusive or semi-exclusive use of bicycles. This includes but is not limited to unmarked shared roadways, marked shared roadways, bicycle lanes, shared use trails, and end of trip facilities.

****State-specific analysis should be performed and language added to ensure this Act shall not alter or supersede the statutory classification of any vehicle or device otherwise defined by State law.*

Chapter 2: General Provisions

Section 201: Rights and Duties of LUVs

- (1) Except as otherwise provided in this *[insert appropriate designation - article, chapter, etc.]*, a Tier 0 LUV or an operator of a Tier 0 LUV shall be afforded all

the rights and privileges, and be subject to all of the duties, of a bicycle or the operator of a bicycle.

- (2) Except as otherwise provided in this *[insert appropriate designation - article, chapter, etc.]*, a Tier 1a LUV or an operator of a Tier 1a LUV shall be afforded all the rights and privileges of a bicycle or an operator of a bicycle.
- (3) Except as otherwise provided in this *[insert appropriate designation - article, chapter, etc.]*, a Tier 1b LUV or an operator of a Tier 1b LUV shall be afforded all the rights and privileges, and be subject to all of the duties, of a vehicle or the operator of a vehicle.
- (4) Except as otherwise provided in this *[insert appropriate designation - article, chapter, etc.]*, a Tier 2 LUV or an operator of a Tier 2 LUV shall be afforded all the rights and privileges, and be subject to all of the duties, of a vehicle, or the operator of a vehicle.

Section 202: Operator Requirements

- a) A Tier 0 Local Use Vehicle has no age restrictions for operation and shall not require a driver's license.
- b) A Tier 1 Local Use Vehicle may be operated only by a person holding a valid driver's license.
- c) A Tier 2 Local Use Vehicle may be operated only by a person holding a valid driver's license.

Section 203: Infrastructure Use by LUVs

- a) Tier 0 Local Use Vehicle may operate in bicycle facilities, including but not limited to, streets, highways, roads, bicycle lanes, and bicycle or multi-use paths. Tier 0 Local Use Vehicles may access the sidewalk as determined by local ordinance;
- b) Tier 1 Local Use Vehicle may operate in bicycle facilities, including but not limited to, streets, highways, roads, bicycle lanes, and bicycle or multi-use paths. Tier 1 Local Use Vehicles may not operate on sidewalks.
- c) Following notice and a public hearing, a municipality, local authority or state agency having jurisdiction over a bicycle or multi-use path may prohibit the operation of a Tier 0 or Tier 1 LUV on that path, if it finds that such a restriction is needed for safety reasons or compliance with other laws or legal obligations.
- d) Tier II Local Use Vehicles shall not operate in bicycle facilities.
- e) This section shall not apply to a trail that is specifically designated as nonmotorized.
- f) Local Use Vehicles of all tiers may operate upon public roadways except
 - 1) controlled-access highways; or
 - 2) as otherwise provided by this Act, State law, or local ordinance.

Chapter 3: Administration

Section 301: Local Authority

- a) A county, municipality, or other political subdivision may regulate the operation and commercial use of Local Use Vehicles within its jurisdiction through administrative action, provided such regulation does not conflict with this Act.

Section 302: Rulemaking

The administering agency may adopt rules necessary to implement this Act.

Section 303: Effective Date

This Act shall take effect on _____.

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