

DRAFT v. 1.0 – 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 A Local Use Vehicle” shall mean:

- i. “Micromobility device,” a small, lightweight transportation device as an alternative to motor vehicles for travel in public access areas and may be further defined by regulations promulgated by the Department of Transportation; provided a “micromobility device” shall not include motor vehicles, motorcycles, motorized bicycles or mopeds, low-speed vehicles, or limited use/low-speed motorcycles or mobility aid devices.
- ii. “Powered micromobility device,” a micromobility device that has an onboard motor capable of delivering tractive power to the device either as power-assist to human powered propulsion or as sole propulsion or throttle. Powered micromobility devices (i) shall include: electronic scooters, skateboards, hoverboards, and others; and (ii) shall not include motor vehicles, motorcycles, mopeds, low-speed vehicles, or limited use/low-speed motorcycles or mobility aid devices.
- iii. The Gross Vehicle Weight Rating shall not exceed five hundred (500) pounds.
- iv. The maximum width shall not exceed thirty-six (36) inches.
- v. A maximum allowable speed, either through manufacturer design or governing mechanism (i.e. geofence), not to exceed twenty (20) miles per hour.

b. “Tier B Local Use Vehicle” shall mean:

- i. “Micromobility device,” a small, lightweight transportation device as an alternative to motor vehicles for travel in public access areas and may be further defined by regulations promulgated by the Department of Transportation; provided a “micromobility device” shall not include motor vehicles, motorcycles, motorized bicycles or mopeds, low-

speed vehicles, or limited use/low speed motorcycles or mobility aid devices.

- ii. “Powered micromobility device,” a micromobility device that has an onboard motor capable of delivering tractive power to the device either as power-assist to human powered propulsion or as sole propulsion or throttle. Powered micromobility devices (i) shall include: electronic scooters, skateboards, hoverboards, and others; and (ii) shall not include motor vehicles, motorcycles, mopeds, low speed vehicle, or limited use/low speed motorcycle or mobility aid devices.
- iii. The Gross Vehicle Weight Rating shall not exceed two thousand (2,000) pounds.
- iv. The maximum width shall not exceed forty-eight (48) inches.
- v. A maximum allowable speed, either through manufacturer design or governing mechanism (i.e. geofence), not to exceed sixteen (16) miles per hour.

c. “Tier C Local Use Vehicle” shall mean:

- i. A vehicle which may include low-speed vehicles such as golf carts, tuk-tuks, neighborhood electric vehicles, and others.
- ii. The Gross Vehicle Weight Rating shall not exceed two thousand (2,000) pounds.
- iii. The maximum width shall not exceed forty-eight (48) inches.
- iv. A maximum allowable speed, either through manufacturer design or governing mechanism (i.e. geofence), not to exceed twenty (20) miles per hour.

d. “Tier D Local Use Vehicle” shall mean:

- i. A vehicle which may include low-speed vehicles such as golf carts, tuk-tuks, neighborhood electric vehicles, and others.
- ii. The Gross Vehicle Weight Rating shall not exceed three thousand and five hundred (3,500) pounds.
- iii. The maximum width shall not exceed sixty (60) inches.
- iv. A maximum allowable speed, either through manufacturer design or governing mechanism (i.e. geofence), not to exceed thirty-five (35) miles per hour.

- (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.

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 A LUV or a Tier B LUV or an operator of a Tier A or Tier B 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 C or Tier D LUV or an operator of a Tier C or Tier D 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: Infrastructure Use by LUVs

- (1) Tier A and Tier B Local Use Vehicle **may operate** in bicycle facilities, including but not limited to, streets, highways, roads, bicycle lanes, and bicycle or multi-use paths, and may access the sidewalk as determined by local ordinance.
- (2) Following notice and a public hearing, a municipality, local authority or state agency having jurisdiction over bicycle facilities **may prohibit** the operation of a LUV on that path, if it finds that such a restriction is needed for safety reasons or compliance with other laws or legal obligations.
- (3) Tier C Local Use Vehicles **may not operate** in bicycle facilities, except when approved by local action.
- (4) Following notice and a public hearing, a municipality, local authority or state agency having jurisdiction over bicycle facilities **may allow** the operation of a Tier C LUV on that path, if it finds that such an allowance is needed for safety reasons or compliance with other laws or legal obligations.
- (5) Tier D Local Use Vehicles **shall not** operate in bicycle facilities.
- (6) This section **shall not** apply to a trail that is specifically designated as nonmotorized.
- (7) Local Use Vehicles of all tiers may operate upon public roadways except controlled-access highways.

Chapter 3: Administration

Section 301: Local Authority

- (1) 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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