

4/20/15

3:37 P.M.

Chapter No. 464  
15/HR26/R1246SG  
of 1 Cst

***HOUSE BILL NO. 1251***

Originated in House  Clerk

HOUSE BILL NO. 1251

AN ACT TO ALLOW MOTOR SCOOTERS TO BE OPERATED ON PUBLIC ROADS LOCATED IN OR NEAR A UNIVERSITY WITHOUT OBTAINING A MOTORCYCLE ENDORSEMENT FOR A RENTAL PERIOD OF FORTY-EIGHT HOURS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE OPERATION OF MOTOR SCOOTERS WITHOUT A MOTORCYCLE ENDORSEMENT; TO PROVIDE THAT MUNICIPALITIES AND UNIVERSITIES MAY PROHIBIT OPERATION OF SCOOTERS ON CERTAIN ROADS IF IN THE INTEREST OF PUBLIC SAFETY; TO AMEND SECTION 63-3-103, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A DEFINITION OF MOTOR SCOOTER AND TO CONFORM TO HOUSE BILL 111, 2015 REGULAR SESSION; TO AMEND SECTION 63-1-6, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THIS ACT AND HOUSE BILL 111, 2015 REGULAR SESSION; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** (1) No person shall be required to secure a driver's license with a motorcycle endorsement upon it while operating a motor scooter as defined in Section 63-3-103 provided that:

(a) The person is not the owner of the motor scooter and is only renting the scooter for a period of time not to exceed forty-eight (48) hours.

(b) The person is operating the motor scooter within the corporate limits of a municipality in which a university

(2) The governing board of any municipality may enact rules and regulations that prohibit the operation of motor scooters, which are rented in accordance with Section 1 of this act, on certain roads or highways, if the board deems the prohibition to be in the interest of public safety.

(1) **SECTION 2.** The Board of Trustees of State Institutions of Higher Learning may, in accordance with Section 37-105-1, enact rules and regulations that prohibit the operation of motor scooters, which are rented in accordance with Section 1 of this act, on certain roads or highways, if the board deems the prohibition to be in the interest of public safety.

(c) On any road or highway which is prohibited under Section 2 of this act.

(b) On a road which has a speed limit greater than thirty-five (35) miles per hour; or

(a) At a rate of speed greater than thirty (30) miles per hour;

(2) Any scooter operated on the roads or highways of this state under this section shall not be operated:

(c) The person has been issued and has on their person a regular or commercial driver's license issued by the State of Mississippi or the state of their residence.

(c) The person has been issued and has on their person a regular or commercial driver's license issued by the State of Mississippi or the state of their residence.

(c) The person has been issued and has on their person a regular or commercial driver's license issued by the State of Mississippi or the state of their residence.

**SECTION 3.** Section 63-3-103, Mississippi Code of 1972, as amended by House Bill 111, 2015 Regular Session, is amended as follows:

63-3-103. (a) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

(b) "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The term "motor vehicle" shall not include electric personal assistive mobility devices.

(c) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground but excluding a tractor. The term "motorcycle" includes motor scooters as defined in paragraph (j) of this subsection.

(d) "Authorized emergency vehicle" means every vehicle of the fire department (fire patrol), every police vehicle, every 911 Emergency Communications District vehicle, every such ambulance and special use EMS vehicle as defined in Section 41-59-3, every Mississippi Emergency Management Agency vehicle as is designated or authorized by the Executive Director of MEMA and every emergency vehicle of municipal departments or public service

corporations as is designated or authorized by the commission or the chief of police of an incorporated city.

(e) "School bus" means every motor vehicle operated for the transportation of children to or from any school, provided same is plainly marked "School Bus" on the front and rear thereof and meets the requirements of the State Board of Education as authorized under Section 37-41-1.

(f) "Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle and includes travel trailers, fifth-wheel trailers, camping trailers, truck campers and motor homes.

(g) "Motor home" means a motor vehicle that is designed and constructed primarily to provide temporary living quarters for recreational, camping or travel use.

(h) "Electric assistive mobility device" means a self-balancing two-tandem wheeled device, designed to transport only one (1) person, with an electric propulsion system that limits the maximum speed of the device to fifteen (15) miles per hour.

(i) "Autocycle" means a motorcycle with three (3) wheels that is completely enclosed with a roll cage or roll bar, automotive controls and seat belts.

(j) "Motor scooter" means a two-wheeled vehicle that has a seat for the operator, one (1) wheel that is ten (10) inches or more in diameter, a step-through chassis, a motor with a rating of two and seven-tenths (2.7) brake horsepower or less if the motor is an internal combustion engine, an engine of 50cc or less and otherwise meets all safety requirements of motorcycles.

**SECTION 4.** Section 63-1-6, Mississippi Code of 1972, as amended by House Bill 111, 2015 Regular Session, is amended as follows:

63-1-6. (1) Unless exempted under Section 63-1-7 or Section 1 of this act, no person shall drive or operate a motorcycle, except for an autocytle as defined in Section 63-3-103, upon the highways of the State of Mississippi without first securing an operator's license with a motorcycle endorsement upon it.

(2) (a) A motorcycle endorsement may be issued to any person who holds a valid Mississippi driver's license and meets the other requirements for a motorcycle endorsement contained in this chapter.

(b) Every applicant for a motorcycle endorsement shall first obtain a temporary motorcycle permit, successfully complete the examination provided in Section 63-1-33, and pay the temporary motorcycle permit fee and examination fee prescribed in Section 63-1-43. Applicants for a temporary motorcycle permit shall:

(i) Be at least fifteen (15) years of age;

(ii) Operate a motorcycle only under the direct supervision of a person at least twenty-one (21) years of age who possesses either a valid driver's or operator's license with a motorcycle endorsement or a valid restricted motorcycle operator's license;

(iii) Be prohibited from transporting a passenger on a motorcycle;

(iv) Be prohibited from operating a motorcycle upon any controlled access highway; and

(v) Be prohibited from operating a motorcycle during the hours of 6:00 p.m. through 6:00 a.m.

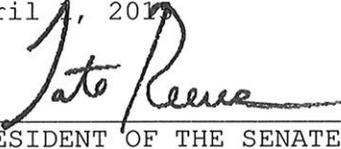
Temporary motorcycle driving permits shall be valid for the same period of time and may be renewed upon the same conditions as regular learner's permits issued under Section 63-1-21.

**SECTION 5.** This act shall take effect and be in force from and after July 1, 2015.

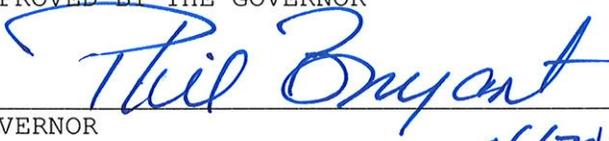
PASSED BY THE HOUSE OF REPRESENTATIVES  
March 31, 2015

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
April 1, 2015

  
\_\_\_\_\_  
PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
\_\_\_\_\_  
GOVERNOR  
4/20/15  
3:37pm