



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5391 (Substitute H-6 as passed by the House)
Sponsor: Representative Curtis S. VanderWall
House Committee: Transportation and Infrastructure
Senate Committee: Transportation

Date Completed: 5-23-18

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Regulate the use of electric skateboards.**
- **Require a person less than 19 years of age operating an electric skateboard to wear a crash helmet on his or her head.**
- **Prohibit a person under the age of 12 from operating an electric skateboard on a public highway or street.**
- **Prohibit the operation of an electric skateboard at a speed of more than 25 miles per hour.**
- **Allow the Department of Natural Resources by order to regulate the use of electric skateboards on all land under its control.**
- **Allow the governing body of a local unit of government to regulate the operation of electric skateboards on sidewalks, streets, and crosswalks, and to prohibit their operation in certain areas.**

The bill would define "electric skateboard" as a wheeled device that has a floorboard designed to be stood upon when riding that is not more than 60 inches long and 18 inches wide, is designed to transport only one person at a time, has an electrical propulsion system with power of not more than 2,500 watts, and has a maximum speed on a paved level surface of not more than 25 miles per hour. In addition to having an electrical propulsion system with power of not more than 2,500 watts, an electric skateboard could be designed to be powered also by human propulsion. The term "motor vehicle" as defined under the Code would not include an electric skateboard.

An electric skateboard would have to be operated at a speed of not more than 25 miles per hour, and could not be operated on a highway or street with a speed limit of more than 25 miles per hour except to cross that highway or street.

The Code allows the governing body of a county, city, village, entity created under the Urban Cooperation Act, or township, by ordinance, based on the health, safety, and welfare of the citizens, to regulate the operation of electric personal assistive mobility devices on sidewalks, highways or streets, or crosswalks. The governing body also may prohibit the operation of electric personal assistive mobility devices in an area open to pedestrian traffic adjacent to a waterfront or on a trail under its jurisdiction or in a downtown or central business district. Signs indicating the regulation must be conspicuously posted in the area where the use of devices is regulated. Under the bill, these provisions also would apply to electric skateboards.

The bill would include electric skateboards in provisions of the Code that do the following with respect to bicycles, mopeds, or electric personal assistive mobility devices:

- Provide that the rider has all the rights and is subject to all of the duties applicable to the driver of a vehicle under Chapter 7 (Obedience to and Effect of Traffic Laws) of the Code.
- Prohibit them from being used to carry more than one person at a time.
- Require the operator to exercise due care when passing a standing vehicle or one proceeding in the same direction.
- Require the operator to ride as near to the right side of the roadway as practicable.
- Prohibit the operator from riding more than two abreast except on a path or part of a roadway set aside for their exclusive use.
- Provide that the rider may be required to use a designated path provided adjacent to a highway or street if required by local ordinance.
- Provide that the rider may not pass between lines of traffic but may pass on the left of traffic moving in his or her direction in the case of a two-way street or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.
- Require the operator to yield the right-of-way to pedestrians when operating on a sidewalk constructed for pedestrian use, and give an audible signal before overtaking and passing a pedestrian.
- Prohibit them from being operated in a special charter city and a State park under the jurisdiction of the Mackinac Island State Park Commission.
- Provide that they may be prohibited in a historic district.
- Require them to enable the operator to bring them to a controlled stop.
- Require them to be equipped with a white front light and a red rear reflector when being operated on a roadway between one-half hour after sunset and one-half hour before sunrise.

The bill would take effect 90 days after it was enacted.

MCL 257.33 et al.

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on the State and an indeterminate, though minor, fiscal impact on local government. There could be some increased resource demands on law enforcement to enforce the new regulations. Any increased fine revenue from civil infractions would increase funding for public libraries.

Fiscal Analyst: Ryan Bergan

SAS\S1718\s5391sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.