

## Motor Assisted Scooter?

**Many Citizens have recently purchased motor assisted scooters and are now wondering what the Utah Code states regarding the use of these scooters.**

### **LETS START WITH SOME DEFINITIONS: (41-6a-102)**

**Moped:** Both motor and pedal driven  
Includes both electric assisted bicycle and motor assisted scooter  
Max. Speed is 30 MPH  
If internal combustible engine is utilized, must be less than 50cc.  
Mopeds must be registered  
Operator must have a motorcycle license  
Helmet laws apply  
Have the same rights to the road as a bicycle



### **Motor Assisted Scooters:**

No more than three wheels

A braking system

Max. Engine displacement of 40cc

A deck designed to stand or seat designed for a person to sit straddle or stand while operating the device

Designed for the ability to be powered by human power alone

No motorcycle license required

Limited to 25 MPH zones

Helmet Laws apply



39cc model – No seat model shown

**Motorcycles:** No more than three wheels

**Having a seat or saddle**

Motorcycle license required

Motorcycles must be registered and licensed

Helmet laws apply

Same rights to roadway as any motor vehicle

**Direct Supervision means oversight at a distance within which visual contact is maintained and advice and assistance can be given and received.**

**Motorcycles, mopeds, and motor assisted scooters are considered motor driven cycles and fall under the helmet law. If the driver is under 18 years of age a helmet is required.**

If it has a seat and two wheels, then it is a motorcycle. **Most of the scooters being sold have a seat or engine displacement of 43 cc which makes them a motorcycle.**

**The following are motorcycles:**



If you will notice this looks like the scooter version shown above, but a seat and larger engine have been added. It is now a motorcycle under state statute.



The model has a seat and a 43 cc gas engine. It must be registered and the operator must have a motorcycle endorsement.



This model is 44 inches high, but has a seat and a 43 cc engine. You will get funny looks at your “Harley Club” meeting, but requires the same licensing.



This model stands only 22 inches tall, but has a seat and a 49 cc engine and boasts of a 50 mph max. speed. It is only knee high, but requires state registration and licensing of the driver.

## Related Utah State Codes:

### **41-6a-1115. Motor assisted scooters -- Conflicting provisions -- Restrictions -- Penalties.**

(1)

(a) Except as otherwise provided in this section, a motor assisted scooter is subject to the provisions under this chapter for a bicycle, moped, or a motor-driven cycle.

(b) For a person operating a motor assisted scooter, the following provisions do not apply:

(i) seating positions under Section 41-6a-1501

(ii) required lights, horns, and mirrors under Section 41-6a-1506;

(iii) entitlement to full use of a lane under Subsection 41-6a-1502 (1); and

(iv) driver licensing requirements under Section 53-3-202 .

(2) A person under 15 years of age may not operate a motor assisted scooter using the motor unless the person is under the direct supervision of the person's parent or guardian.

(3) A person under eight years of age may not operate a motor assisted scooter with the motor running on any public property, highway, path, or sidewalk

(4) A person may not operate a motor assisted scooter:

(a) in a public parking structure;

(b) on public property posted as an area prohibiting skateboards;

(c) on a highway consisting of a total of four or more lanes designated for regular vehicular traffic;

(d) on a highway with a posted speed limit greater than 25 miles per hour;

(e) while carrying more persons at one time than the number for which it is designed; or

(f) that has been structurally or mechanically altered from the original manufacturer's design.

(5) Except where posted or prohibited by rule or local ordinance, a motor assisted scooter is considered a non-motorized vehicle if it is being used with the motor turned off.

(6) An owner may not authorize or knowingly permit a person to operate a motor assisted scooter in violation of this section.

(7) A person who violates this section is guilty of a class C misdemeanor.

**41-6a-1116. Personal motorized mobility devices -- Conflicting provisions -- Restrictions -- Penalties.**

- (1)
  - (a) Except as otherwise provided in this section, a personal motorized mobility device is subject to the provisions under this chapter for a bicycle, moped, or a motor-driven cycle.
  - (b) For a person operating a personal motorized mobility device, the following provisions do not apply:
    - i. seating positions under Section 41-6a-1501 ;
    - ii. required lights, horns, and mirrors under Section 41-6a-1506 ;
    - iii. entitlement to full use of a lane under Subsection 41-6a-1502 (1); and
    - iv. driver licensing requirements under Section 53-3-202 .
- (2) A person under 15 years of age may not operate a personal motorized mobility device using the motor unless the person is under the direct supervision of the person's parent or guardian.
- (3) A person may not operate a personal motorized mobility device:
  - (a) on a highway consisting of a total of four or more lanes designated for regular vehicular traffic;
  - (b) on a highway with a posted speed limit greater than 35 miles per hour; or
  - (c) that has been structurally or mechanically altered from the original manufacturer's design.
- (4) An owner may not authorize or knowingly permit a person to operate a personal motorized mobility device in violation of this section.
- (5) A person who violates this section is guilty of a class C misdemeanor.

**41-6a-1117. Mini-motorcycle restrictions -- Exceptions.**

- (1) A person may not operate a mini-motorcycle on any public property, highway, path, or sidewalk unless:
  - (a) the mini-motorcycle is registered for highway use in accordance with Title 41, Chapter 1a, Motor Vehicle Act; and
  - (b) the operator is licensed to operate a motorcycle in accordance with Title 53, Chapter 3, Uniform Driver License Act.
- (2) An owner may not authorize or knowingly permit a person to operate a mini-motorcycle in violation of this section.
- (3) A person who violates this section is guilty of a class C misdemeanor.