
HOUSE BILL 1057

State of Washington

64th Legislature

2015 Regular Session

By Representatives Halper, Holy, and Johnson

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1 AN ACT Relating to modifying authority regarding where mopeds may
2 be operated; amending RCW 46.61.710; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.61.710 and 2011 c 171 s 81 are each amended to
5 read as follows:

6 (1) No person shall operate a moped upon the highways of this
7 state unless the moped has been assigned a moped registration number
8 and displays a moped permit in accordance with RCW 46.16A.405(2).

9 (2) (~~Notwithstanding any other provision of law,~~) A moped may
10 not be operated on a bicycle path or trail, bikeway, equestrian
11 trail, or hiking or recreational trail unless authorized by statute
12 or local ordinance. A moped may be operated in a bicycle lane subject
13 to restrictions by local ordinance. For purposes of this subsection,
14 "bicycle lane" means a lane designated for bicycles on a roadway that
15 is separated from vehicle lanes by a painted line.

16 (3) Operation of a moped, electric personal assistive mobility
17 device, motorized foot scooter, or an electric-assisted bicycle on a
18 fully controlled limited access highway is unlawful. Operation of a
19 moped, motorized foot scooter, or an electric-assisted bicycle on a
20 sidewalk is unlawful.

1 (4) Removal of any muffling device or pollution control device
2 from a moped is unlawful.

3 (5) Subsections (1), (2), and (4) of this section do not apply to
4 electric-assisted bicycles. Electric-assisted bicycles and motorized
5 foot scooters may have access to highways, other than limited access
6 highways, of the state to the same extent as bicycles. Subject to
7 subsection (6) of this section, electric-assisted bicycles and
8 motorized foot scooters may be operated on a multipurpose trail or
9 bicycle lane, but local jurisdictions may restrict or otherwise limit
10 the access of electric-assisted bicycles and motorized foot scooters,
11 and state agencies may regulate the use of motorized foot scooters on
12 facilities and properties under their jurisdiction and control.

13 (6) Subsections (1) and (4) of this section do not apply to
14 motorized foot scooters. Subsection (2) of this section applies to
15 motorized foot scooters when the bicycle path, trail, bikeway,
16 equestrian trail, or hiking or recreational trail was built or is
17 maintained with federal highway transportation funds. Additionally,
18 any new trail or bicycle path or readily identifiable existing trail
19 or bicycle path not built or maintained with federal highway
20 transportation funds may be used by persons operating motorized foot
21 scooters only when appropriately signed.

22 (7) A person operating an electric personal assistive mobility
23 device (EPAMD) shall obey all speed limits and shall yield the right-
24 of-way to pedestrians and human-powered devices at all times. An
25 operator must also give an audible signal before overtaking and
26 passing a pedestrian. Except for the limitations of this subsection,
27 persons operating an EPAMD have all the rights and duties of a
28 pedestrian.

29 (8) The use of an EPAMD may be regulated in the following
30 circumstances:

31 (a) A municipality and the department of transportation may
32 prohibit the operation of an EPAMD on public highways within their
33 respective jurisdictions where the speed limit is greater than
34 twenty-five miles per hour;

35 (b) A municipality may restrict the speed of an EPAMD in
36 locations with congested pedestrian or nonmotorized traffic and where
37 there is significant speed differential between pedestrians or
38 nonmotorized traffic and EPAMD operators. The areas in this
39 subsection must be designated by the city engineer or designee of the
40 municipality. Municipalities shall not restrict the speed of an EPAMD

1 in the entire community or in areas in which there is infrequent
2 pedestrian traffic;

3 (c) A state agency or local government may regulate the operation
4 of an EPAMD within the boundaries of any area used for recreation,
5 open space, habitat, trails, or conservation purposes.

6 NEW SECTION. **Sec. 2.** This act takes effect August 1, 2015.

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