

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2002-98
SENATE BILL 1144**

**AN ACT TO DEFINE AND AUTHORIZE THE USE OF NONTANDEM
TWO-WHEELED PERSONAL ASSISTIVE MOBILITY DEVICES.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01(7a) reads as rewritten:

~~"(7a)~~(7b) Employer. – Any person who owns or leases a commercial motor vehicle or assigns a person to drive a commercial motor vehicle."

SECTION 2. G.S. 20-4.01 is amended by adding a new subdivision to read:

"(7a) Electric Personal Assistive Mobility Device. – A self-balancing nontandem two-wheeled device, designed to transport one person, with a propulsion system that limits the maximum speed of the device to 15 miles per hour or less."

SECTION 3. G.S. 20-4.01(49) reads as rewritten:

~~"(49)~~ Vehicle. – Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks; provided, that for the purposes of this Chapter bicycles shall be deemed vehicles and every rider of a bicycle upon a highway shall be subject to the provisions of this Chapter applicable to the driver of a vehicle except those which by their nature can have no application. This term shall not include a device which is designed for and intended to be used as a means of transportation for a person with a mobility impairment, or who uses the device for mobility enhancement, is suitable for use both inside and outside a building, including on sidewalks, and is limited by design to 15 miles per hour when the device is being operated by a person with a mobility impairment, or who uses the device for mobility enhancement. This term shall not include an electric personal assistive mobility device as defined in G.S. 20-4.01(7a)."

SECTION 4. G.S. 20-51 is amended by adding a new subdivision to read:

"(14) Electric personal assistive mobility devices as defined in G.S. 20-4.01(7a)."

SECTION 5. Article 3 of Chapter 20 of the General Statutes is amended by adding a new Part to read:

"Part 11C. Electric Personal Assistive Mobility Devices.

"§ 20-175.6. Electric personal assistive mobility devices.

(a) Electric Personal Assistive Mobility Device. – As defined in G.S. 20-4.01(7a).

(b) Exempt From Registration. – As provided in G.S. 20-51.

(c) Use of Device. – An electric personal assistive mobility device may be operated on public highways with posted speeds of 25 miles per hour or less, sidewalks, and bicycle paths. A person operating an electric personal assistive mobility device on a sidewalk, roadway, or bicycle path shall yield the right-of-way to pedestrians and other human-powered devices. A person operating an electric personal assistive mobility

device shall have all rights and duties of a pedestrian, including the rights and duties set forth in Part 11 of this Article.

(d) Municipal Regulation. – For the purpose of assuring the safety of persons using highways and sidewalks, municipalities having jurisdiction over public streets, sidewalks, alleys, bridges, and other ways of public passage may by ordinance regulate the time, place, and manner of the operation of electric personal assistive mobility devices, but shall not prohibit their use."

SECTION 6. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 19th day of August, 2002.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 2:53 p.m. this 29th day of August, 2002