

## **NOTICE OF PROPOSED GUIDANCE DOCUMENT**

### **Scooter/Moped DSP85**

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on Scooter/Moped DSP85, Wis. Stat. ss. 346 and Wis. Stat. ss. 347, a proposed guidance document.

### **PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION**

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's website:

<https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=DSP85>

2. Mailing written comments to:

Division of State Patrol  
Wisconsin Department of Transportation  
9<sup>th</sup> Floor South  
4822 Madison Yards Way  
Madison, WI 53705-9100

### **WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT**

The final version of this guidance document will be posted at [wisconsin.gov](http://wisconsin.gov) to allow for ongoing comment.

### **AGENCY CONTACT**

[DOTDSPGuidanceDocs@DOT.WI.GOV](mailto:DOTDSPGuidanceDocs@DOT.WI.GOV)



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# Scooter/Moped

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## Moped or scooter?

A moped, sometimes called a "scooter," is a motor vehicle with the engine as an integral part of the vehicle. If the engine is an add-on it's likely the vehicle is a motor bicycle, which has limited operation on highways different from motorcycles and mopeds. A moped engine may not exceed 50 cubic centimeters (CCs) in size with an automatic transmission, or 130 CCs in size if it is a bicycle type vehicle



with fully operative pedals for propulsion by human power.

Traditionally, mopeds had fully operative pedals but modern mopeds are usually more like small motorcycles with an automatic transmission and no pedals.

## Differences between a moped and a motorized scooter

A motorized scooter is similar to a traditional foot-propelled scooter with two small wheels except it is powered by either an electric motor or gasoline engine. A person operating a motorized scooter typically is in the standing position although some scooters are equipped with a bicycle seat.



Unlike mopeds, which may be driven legally on public roads, a motorized scooter may not be operated legally on public roads or sidewalks within a roadway's right-of-way.

Motorized scooters do not meet federal safety equipment standards for motor vehicles and are not designed for operation on roadways. Therefore, the law treats motorized scooters like lawn tractors, all-terrain vehicles, go-carts, mini-bikes and other off-road motor vehicles that are not allowed on public roads.

In addition, anyone operating a motorized scooter on a street or sidewalk without a valid driver's license could receive a citation for operating a motor vehicle without a driver's license. For juveniles, such a violation could result in their being ineligible for a driver's license when they turn age 16.

Motorized scooters may be operated on private property where the owner has given consent.

- [Explanation and examples of motorized scooters](#)
- [US Consumer Product Safety Commission - Scooter Data](#)

## Licensed drivers only

Generally, anyone with a valid drivers license may operate a moped.

However, it is not legal to operate a moped with only a valid instruction permit. You may obtain a special restricted license, valid only for the type of vehicle on which you take the road test. Your nearest drivers license examination station can give you details.

## Registration a must

You must register your moped and you must obtain a certificate of title. If you buy from a dealer this will be taken care of as part of the purchase transaction. But if you buy from a private party, make sure you obtain a title from the seller that has been signed by all owners and from which all loans have been cleared by the lending agency.

## Obey traffic laws

Mopeds are subject to all traffic laws just like any other motor vehicle. You must obey traffic signals and stop signs, yield to pedestrians in crosswalks and slow down in school zones.

On roads where the speed limit is 25 MPH or less, two mopeds may operate side-by-side if both riders agree. On roads where the speed limit is more than 25, mopeds must ride single file. On roads with two or more lanes in each direction, mopeds must operate in the right lane except when turning left.

## Restrictions and entitlements

You may ride your moped on any roadway except freeways or roads where mopeds are specifically prohibited. You may not operate a moped on sidewalks, along fence lines or off the traveled surface of the roadway.

Mopeds are entitled to a full traffic lane but may not impede traffic. Mopeds may use bike paths if signs permit them or where they are required by local law to use bike paths. Don't operate a moped on private property without the property owner's permission. Mopeds may park in spaces designated for other motor vehicles, in bicycle racks or on sidewalks, unless otherwise prohibited. But avoid riding on sidewalks or interfering with pedestrians.

Mopeds are designed for only one person. It is illegal to carry a passenger on a moped.

## Safety and equipment

Mopeds must meet federal emission, safety and equipment standards in effect at the time of manufacture. Brakes, lights and turn signals must be maintained in safe working order.

Wisconsin does not require moped drivers to wear helmets, but be aware that a moped offers the rider almost no protection in case of a crash. Even at relatively slow moped speeds, head injuries in moped crashes are common. A US DOT approved helmet is the best protection against serious injury.

Mopeds must use headlights when driving at night, but unlike motorcycles, there is no requirement for headlight use during the day. However, headlights turned on during the day can greatly improve moped visibility to other motorists, and it is a very good safety practice.

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