



PA 18-165—sHB 5313
Transportation Committee

AN ACT REVISING MOTOR VEHICLE STATUTES

SUMMARY: This act classifies electric bicycles (e-bikes) into three categories and mostly requires e-bikes to be treated like regular bicycles. It generally gives e-bike riders the same rights, privileges, and duties as existing law provides for regular bicycle riders. It also requires manufacturers of e-bikes sold in the state to comply with specific requirements, such as ensuring e-bikes conform to relevant federal regulations.

The act also (1) generally allows municipalities to regulate e-bikes, to the extent that state law does not conflict with such regulations, and (2) requires the Office of the State Traffic Administration's regulations to cover e-bike operation on highways and roads under its jurisdiction.

The act makes related technical and conforming changes.

EFFECTIVE DATE: October 1, 2018

E-BIKE CLASSIFICATION

The act defines the following three types of e-bikes, all of which must have operable foot pedals and a motor of, at most, 749 watts:

1. A Class 1 e-bike's motor must operate only when the rider is peddling. The motor must disengage when the e-bike reaches 20 mph.
2. A Class 2 e-bike's motor may be used exclusively to propel the e-bike (i.e., without peddling). The motor must disengage when the e-bike rider applies the brakes or reaches 20 mph.
3. A Class 3 e-bike's motor must operate only when rider is peddling. The motor must disengage when the e-bike rider stops peddling or reaches 28 mph.

The act's e-bike definition specifically excludes dirt bikes and all-terrain vehicles.

USING E-BIKES

Unless prohibited by local ordinance, the act generally allows e-bikes to be used where regular bicycles are used. But, Class 1 and 2 e-bikes cannot be used, unless permitted by local ordinance, on bicycle or multiuse trails or paths designed for non-motorized traffic with a natural surface made by clearing and grading soil, without adding surfacing materials. In addition, Class 3 e-bikes can never be used on bicycle or multiuse trails or paths, regardless of whether they have a natural surface. These rules do not apply to police officers, firefighters, or emergency medical technicians performing their duties.

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E-bike riders and passengers must wear a helmet meeting the minimum specifications applicable to bicycle helmets. Class 3 e-bike riders must be at least age 16 (but there are no age restrictions for passengers).

STANDARDS FOR E-BIKE MANUFACTURERS

Beginning January 1, 2019, the act requires manufacturers of e-bikes sold in the state to:

1. ensure that the e-bikes conform to relevant federal regulations concerning bicycles;
2. attach a conspicuous label to each e-bike, listing its classification, maximum speed, and motor wattage;
3. equip Class 3 e-bikes with a miles-per-hour speedometer;
4. ensure Class 1 e-bike motors disengage when the rider stops pedaling or reaches a speed of 20 mph;
5. ensure Class 2 e-bike motors disengage when the rider applies the brakes or reaches a speed of 20 mph; and
6. ensure Class 3 e-bike motors disengage when the rider stops pedaling or reaches a speed of 28 mph.

STATE AND LOCAL REGULATION

The act generally authorizes the Office of the State Traffic Administration to regulate e-bikes within its jurisdiction (i.e., on state highways and roads on state-owned property). The office already had this authority with respect to regular bicycles.

Existing law requires the office to adopt regulations governing highways and roads in its jurisdiction, including the operation of motor vehicles and bicycles. The act additionally requires these regulations to cover e-bike operation.

Existing law grants municipalities authority to regulate regular bicycles, as long as the ordinances do not conflict with state laws or regulations. The act extends this authority to allow municipalities to regulate e-bikes. Thus, among other things, municipalities can adopt ordinances requiring annual licensing of e-bikes or requiring the registration of e-bike sales and ownership changes.

CONFORMING CHANGES TO TREAT E-BIKES LIKE REGULAR BICYCLES

The act makes conforming changes to treat e-bikes like regular bicycles. Among other things, it:

1. exempts e-bikes from emissions inspections,
2. requires e-bike riders to comply with driving laws applicable to bicycles (e.g., signaling before turning),
3. requires motor vehicle operators to treat e-bikes like regular bicycles (e.g., when passing),
4. imposes a 100% surcharge on fines for certain moving violations involving a motor vehicle and an e-bike,

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5. prohibits parents and guardians from authorizing or knowingly permitting their wards to violate state laws or local ordinances on e-bikes, and
6. makes it an infraction not to equip e-bikes with lights and reflectors.