

HB 4103 -3 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 2/15, 2/22

WHAT THE MEASURE DOES:

Establishes a three-tier definition of electric-assisted bicycles. Allows riders under 16 years of age to lawfully operate Class 1 electric assisted bicycles. Creates offense of unsafe electric assisted bicycle riding for parent, legal guardian, or person legally responsible for a child under 16 years of age operating a Class 2 or Class 3 electric assisted bicycle on a highway; designates offense as a Class E traffic violation.

ISSUES DISCUSSED:

- Death of Trenton Burger in accident involving an electric bicycle
- Goal of creating a culture of safety regarding electric bicycles
- Rising popularity of electric bicycles, especially among students
- Need for clear, enforceable guidelines for use of electric bicycles
- Whether riders under 16 years of age should be able to ride Class 2 electric bicycles
- Role of electric bicycles in addressing congestion and climate goals

EFFECT OF AMENDMENT:

-3 Removes provision creating offense of unsafe electric assisted bicycle riding. Revises statutory definition of "bicycle" to include being equipped with pedals. Removes provision allowing children under 16 years of age to ride electric assisted bicycles.

FISCAL: *Minimal fiscal impact on measure w/the -3 amendment*

REVENUE: *Minimal revenue impact on measure w/the -3 amendment*

BACKGROUND:

Forty-eight states currently have statutory definitions of electric-assisted bicycles (e-bikes), with five states (Alabama, Massachusetts, Missouri, New Mexico, and North Dakota) having adopted specific regulations for e-bikes in the last three years. Only two states - Alaska and Rhode Island - lack statutory definitions of e-bikes. There are many variations between states in how they define and regulate e-bikes. Oregon has a single classification, adopted with the passage of House Bill 2602 (1997), which defines an "electric assisted bicycle" as "a vehicle that is designed to be operated on the ground on wheels; has a seat or saddle for use of the rider; is designed to travel with not more than three wheels in contact with the ground; has both fully operative pedals for human propulsion and an electric motor; and is equipped with an electric motor that (a) has a power output of not more than 1,000 watts; and (b) is incapable of propelling the vehicle at a speed of greater than 20 miles per hour on level ground. States with similar definitions include Kentucky, Montana, Nebraska, North Carolina, Pennsylvania, and South Carolina.

Most other states have adopted a three-tiered e-bike classification system with the following classifications:

- Class 1 electric bicycles are "equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour"
- Class 2 electric bicycles are "equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour"
- Class 3 electric bicycles are "equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour and is equipped with a speedometer."

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House Bill 4103 adopts a three-tier definition for e-bikes similar to that outlined above. The measure also specifies that riders under 16 years of age may lawfully operate a Class 1 electric bicycle on public roads. The measure also establishes a traffic violation for unsafe electric assisted vehicle riding, which specifies that the parent, guardian or person legally responsible for a child under 16 years of age riding a Class 2 or Class 3 e-bike on a highway could be assessed a Class D traffic violation (per the -1 amendment).