

HB 3626 -2 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 3/17, 5/19

WHAT THE MEASURE DOES:

Defines "powered micromobility devices" and clarifies helmet requirements for bicycles, e-bicycles, e-scooters, and similar devices.

Detailed Measure Summary

The measure defines the term "powered micromobility device" as distinct from electric assist bicycles, electric personal assistive mobility devices, motor assisted scooters, and motorized wheelchairs. It specifies that persons operating powered micromobility devices have same rights and duties as bicycle riders except where otherwise specifically provided by statute. The measure clarifies that local governments and state agencies may regulate or prohibit use of such devices by ordinance or rule for facilities under their jurisdiction. It further clarifies that powered micromobility devices are not subject to vehicle titling or registration requirements.

The measure permits persons age 12 and older to operate Class 1 and Class 2 electric assisted bicycles, and persons age 16 and older to operate Class 3 electric assisted bicycles. It specifies that persons age 12 and older may operate powered micromobility devices without any grant of driving privileges. The bill allows use of powered micromobility devices on bicycle lanes and paths.

The measure consolidates helmet requirements for persons under 16 years of age operating or riding on bicycles, motor assisted scooters, electric personal assistive mobility devices, powered micromobility devices, skateboards, nonmotorized scooters or in-line skates, with religious exemption.

The measure stipulates that powered micromobility devices manufactured on or after January 1, 2026, must be equipped with battery or drive system that has been tested by an accredited testing laboratory for compliance with safety standards.

The bill requires the Oregon Department of Transportation to conduct a public information campaign regarding powered micromobility devices and other similar devices. It allocates \$250,000 from the General Fund for purposes of the education campaign.

ISSUES DISCUSSED:

- Inconsistencies and gaps in regulation of many such devices
- Need for clarity and consistency in minimum age requirements
- Involvement of local law enforcement and school boards
- Religious exemptions from helmet requirements
- Environmental and health benefits of use of micromobility devices
- Potential for registration or licensing fees
- E-bicycles and the "Idaho Stop" law
- Program cost impact on Oregon Department of Transportation

EFFECT OF AMENDMENT:

-2 The amendment increases the minimum age (compared to the base bill) for operating a Class 1 electric assisted bicycle from 12 years to 14 years, and for operating a Class 2 electric assisted bicycle from 12 years to 16 years. It replaces term "without a driver license or driver permit" with term "without any grant of driving

privileges." It also increases (compared to the base bill) the minimum age for blanket authorization to ride a powered micromobility device without grant of driving privileges from 12 years old to 16 years old.

The amendment eliminates the original bill's religious exemption from wearing protective headgear for operating e-micromobility devices for persons under 16 years old for both operators and passengers.

The amendment creates the offense of improper sale or lease of an electric assisted bicycle for persons who sell, lease, or offer for sale or lease, a new and unused electric assisted bicycle or charging system that has not been tested by an accredited testing laboratory approved by the Oregon Department of Transportation for compliance with safety standards; or if a clear, legible indicia of the accredited testing laboratory is not affixed permanently to the device or storage battery. It designates the offense as a Class D traffic violation.

FISCAL:

REVENUE: "Revenue Lite" issued on measure w/the -2 amendment

BACKGROUND:

The term "micromobility" refers to a range of small personal vehicles that typically convey one or two individuals. They generally operate at speeds below 30 miles per hour, weigh less than 500 pounds, and operate with human power or electric power. Some common examples of micromobility devices include bicycles, scooters, or other similar devices. The devices can be privately owned and operated or can be part of a shared fleet; the Federal Highway Administration has estimated that over 260 different shared mobility systems in existence as of August 2020, including docked and dockless bikeshare and e-scooter systems.

Micromobility devices are often considered as a solution to the "last mile" problem, in that they offer a supplemental resource to public transportation and automobiles in commuter traffic and urban areas. A rider who takes a commuter rail or light rail line to the station or stop closest to their final destination, for example, could utilize a micromobility device to reach their destination, through rental of a dockless e-scooter, for example. Micromobility also offers an alternative to walking in urban environments for residents who do not own a car or who prefer to make some trips without using a car.