



Oregon

Tina Kotek, Governor

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TO: Joint Committee on Transportation

FROM: Amy Joyce – DMV Administrator, Oregon Department of Transportation
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SUBJECT: HB 3626 – Powered Micromobility Regulation

INTRODUCTION

The [Oregon Vehicle Code](#) includes definitions for a variety of vehicle types and specifies rules regarding registration, licensing, and operations. Some of the vehicles currently defined in the Oregon Vehicle Code include electric assisted bicycles, motor assisted scooters, and electric personal assistive mobility devices. Collectively, these types of vehicles have come to be known broadly as “micromobility” vehicles. In recent years, newer types of micromobility vehicles have emerged that are not captured in the Oregon Vehicle Code, such as electric unicycles and electric skateboards.

The definition of an electric assisted bicycle ([ORS 801.258](#)) was first added to the Oregon Vehicle Code in 1997. Motor assisted scooter ([ORS 801.348](#)) was first added in 2001, and the definition was modified in 2018 ([SB 1532](#)). Electric personal assistive mobility device ([ORS 801.259](#)) was added in 2003. With the passage of [HB 4103](#) (2024), the definition of an electric assisted bicycle was updated to include three classes based on the type of motor and top speed. The 2024 Legislature also considered [HB 4067](#), establishing a Task Force on Electric Micromobility, which ultimately did not pass into law.

[HB 3626](#) establishes a definition for “powered micromobility devices” in the Oregon Vehicle Code. The definition captures devices that currently do not fall under any existing definition and would encompass vehicles that have a propulsion system, have a maximum speed of 30 miles per hour, an unloaded weight of under 100 pounds, and is not another type of powered device already defined in statutes. The measure also sets regulations for these newly defined devices, and changes some of the regulation for other motorized devices. The measure reduces the age of operation for a Class 1 e-bike, Class 2 e-bike, electric personal assistive mobility device, and a motor assisted scooter to 12 years of age; sets 12 years of age as the minimum age to operate a “powered micromobility device”; requires protective headgear for anyone under the age of 16 operating a “powered micromobility device”; establishes that battery and electric drive systems must be tested by an accredited lab and that ODOT by rule must set the battery and electric drive certification standards for electric assisted bicycles and

“powered micromobility devices”; establishes that local governments and state agencies with jurisdiction over public highways and trails have regulating authority for the use of “powered micromobility devices” (ranging from time/manner/place up to complete prohibition); and directs the Oregon Department of Transportation (ODOT) to inform the public through various driver education programs with an appropriation of \$250,000 General Fund to carry out this portion of the measure.

DISCUSSION

Today, there are no regulations for devices not captured in statute, such as one-wheeled devices and electric skateboards. Regulations for devices currently defined in statute mandate:

- A person must be 16 years of age to operate any class of electric assisted bicycle, a motor assisted scooter (“e-scooter”), or an electric personal assistive mobility device. HB 3626 proposes lowering the minimum age to operate these vehicles to 12 years of age, with the exception of a Class 3 e-bike, which would remain at 16 years of age.
- A person operating a motor assisted scooter must wear protective headgear regardless of age. The measure updates this requirement to anyone under 16 years of age must wear protective headgear when riding e-bikes, e-scooter, “powered micromobility devices” and other vehicles.
- The operation of electric personal assistive mobility devices is allowed on a sidewalk. The operation of e-bikes and e-scooters are *not* allowed on a sidewalk. The measure does not change these regulations.

With the existing regulations in statute and proposed changes in HB 3626, some differences remain in how all devices will be regulated. Notably, HB 3626 proposes lowering the minimum age to operate a Class 2 e-bike, which has a top speed of 20mph, to 12, but a Class 3 e-bike, which has a top speed of 28mph would remain 16. However, “powered micromobility devices” have a proposed age of 12 – meaning, a 12-year-old could ride a “powered micromobility device” that has a top speed of 30mph but couldn’t ride a Class 3 e-bike with a lower top speed.

Secondly, not all e-micromobility devices are allowed to be operated in the same place. E-bikes ([ORS 814.410](#)) and motor assisted scooters ([ORS 814.524](#)) are not operable on the sidewalk in Oregon per statute, while electric personal assistive mobility devices ([ORS 814.550](#)) are. HB 3626 does not prohibit the operation of “powered micromobility devices” on sidewalks. Meaning, with the proposed definition in HB 3626, Oregon may see “powered micromobility mobility devices” with a top operable speed of 30mph on sidewalks unless specifically prohibited by local jurisdictions whereas e-bikes with a top speed of 20mph (Class 1 and Class 2) and 28mph (Class 3), and motor assisted scooters with a speed limit of 15mph are limited to the roadway, bike lane, or path per statute. The use of “powered micromobility devices” with an operable speed of 30mph on sidewalks may pose safety risks to pedestrians and other vehicle users.

Lastly, by statutory definition motor assisted scooters are capable of speeds up to 24mph but have a legal operating limit of 15mph per statute ([ORS 814.512](#)). Motor assisted scooters are the only micromobility device in statute that has a lower operating speed limit than its capable speed. The

proposed –1 amendment eliminates the operating speed limit for motor assisted scooters and lowers the age limit to 12 years of age.

The nuances of existing and proposed regulations as described above may pose challenges in informing the public through various driver programs and messaging about vehicle safety for children and adults relating to law and rules of the road for all forms of micromobility device and helmet use. ODOT would implement driver education and messaging around the nuances of regulations and laws to the greatest extent possible through developing and updating driver education materials, online resources, social media, informational newsletters, and more. In the Department’s experience, delivering complex yet robust statewide safety messaging would require higher resource needs.

ODOT appreciates the Legislature’s intent to bring consistency and to establish a definition for micromobility devices in statute. This measure takes a step in that direction; however, if HB 3626 passed in current form, even with the –1 amendment, inconsistencies would remain, and the public education messaging would be complicated and challenging.

CONCLUSION

HB 3626 creates a definition for “powered micromobility devices” in the Oregon Vehicle Code; updates and establishes new age requirements; requires protective headgear for anyone under the age of 16 years of age; requires ODOT to establish battery certification standard requirements for electric assisted bicycles and “powered micromobility devices”; establishes regulating authority; and directs ODOT to inform the public through driver education efforts. Some differences remain in how all vehicles are regulated in statute and in the proposed measure. The complexities of these differences may pose challenges in public education messaging.