

2021 -- H 5872

=====  
LC001440  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

—————  
A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- OPERATION OF BICYCLES

Introduced By: Representatives Baginski, Kislak, Cassar, and Potter

Date Introduced: February 24, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1            .SECTION 1. Chapter 31-19 of the General Laws entitled "Operation of Bicycles" is  
2 hereby amended by adding thereto the following section:

3            **31-19-23. Electric bicycles.**

4            (a) Except as specifically provided otherwise in this section, an electric bicycle or an  
5 operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of  
6 the duties and provisions of this chapter relating to a bicycle or the operator of a bicycle.

7            (b) An electric bicycle is a vehicle to the same extent as a bicycle.

8            (c) An electric bicycle or a person operating an electric bicycle is not subject to the  
9 provisions of this title applicable to motor vehicles, including, but not limited to, registration,  
10 certificates of title, operators' licenses, financial responsibility, recreational vehicles, motor vehicle  
11 dealers, or commercial motor vehicles.

12           (d) On and after January 1, 2022, manufacturers and distributors of electric bicycles shall  
13 apply a label that is permanently affixed, in a prominent location, to each electric bicycle. The label  
14 shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle,  
15 and shall be printed in Arial font in at least nine (9) point type.

16           (e) A person shall not tamper with or modify an electric bicycle in order to change the  
17 motor-powered speed capability or engagement of an electric bicycle, unless he or she  
18 appropriately replaces the label indicating the classification required in subsection (d) of this  
19 section.

1 (f) An electric bicycle shall comply with the equipment and manufacturing requirements  
2 for bicycles adopted by the United States Consumer Product Safety Commission (16 C.F.R. part  
3 1512).

4 (g) An electric bicycle shall operate in a manner in order that the electric motor is  
5 disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.

6 (h) Subject to the following provisions, an electric bicycle may be ridden where bicycles  
7 are permitted to travel, including, but not limited to, streets, highways, roads, bicycle routes, bicycle  
8 lanes, and bicycle trails or paths:

9 (1) Following notice and a public hearing, a local authority or state agency having  
10 jurisdiction over a bicycle or multi-use path may prohibit the operation of a Class 1 electric bicycle  
11 or Class 2 electric bicycle on that path, if it finds that such a restriction is needed for safety reasons  
12 or compliance with other laws or legal obligations.

13 (2) A local authority or state agency having jurisdiction over a bicycle or multi-use path  
14 may prohibit the operation of a Class 3 electric bicycle on that path.

15 (3) This section shall not apply to a trail that is specifically designated as nonmotorized  
16 and that has a natural surface tread that is made by clearing and grading the native soil with no  
17 added surfacing materials. A local authority, or state agency having jurisdiction over a trail  
18 described in this subsection may regulate the use of an electric bicycle on that trail.

19 (i) All Class 3 electric bicycles shall be equipped with a speedometer that is capable of  
20 displaying the speed the electric bicycle is traveling in miles per hour.

21 SECTION 2. Section 31-1-3 of the General Laws in Chapter 31-1 entitled "Definitions and  
22 General Code Provisions" is hereby amended to read as follows:

23 **31-1-3. Types of vehicles.**

24 (a)(1) "Antique motor car" means any motor vehicle that is more than twenty-five (25)  
25 years old. Unless fully inspected and meeting inspection requirements, the vehicle may be  
26 maintained solely for use in exhibitions, club activities, parades, and other functions of public  
27 interest. The vehicle may also be used for limited enjoyment and purposes other than the previously  
28 mentioned activities, but may not be used primarily for the transportation of passengers or goods  
29 over any public highway.

30 (2) After the vehicle has met the requirements of state inspection, a registration plate may  
31 be issued to it on payment of the standard fee. The vehicle may be operated on the highways of this  
32 and other states, and may, in addition to the registration plate, retain the designation "antique" and  
33 display an "antique plate."

34 (3) For any vehicle that is more than twenty-five (25) years old, the division of motor

1 vehicles may also issue or approve, subject to rules and regulations that may be promulgated by  
2 the administrator, a "year of manufacture plate" for the vehicle that is an exact replica plate  
3 designating the exact year of manufacture of the vehicle. The year of manufacture plate, as  
4 authorized by this subsection, need only be attached to the rear of the vehicle.

5 (b)(1) "Antique motorcycle" means any motorcycle that is more than twenty-five (25) years  
6 old. Unless fully inspected and meeting inspection requirements, the vehicle shall be maintained  
7 solely for use in exhibitions, club activities, parades, and other functions of public interest. The  
8 vehicle may also be used for limited enjoyment and purposes other than the previously mentioned  
9 activities, but may not be used primarily for the transportation of passengers or goods over any  
10 public highway; and

11 (2) After the vehicle has met the requirements of state inspection, a registration plate may  
12 be issued to it, on payment of the standard fee, and the vehicle may be operated on the highways  
13 of this and other states, and may, in addition to the registration plate, retain the designation  
14 "antique" and display an "antique plate."

15 (c) "Authorized emergency vehicle" means vehicles of the fire department (fire patrol);  
16 police vehicles; vehicles of the department of corrections while in the performance of official  
17 duties; vehicles used by the state bomb squad within the office of state fire marshal; vehicles of  
18 municipal departments or public service corporations designated or authorized by the administrator  
19 as ambulances and emergency vehicles; and privately owned motor vehicles of volunteer  
20 firefighters or privately owned motor vehicles of volunteer ambulance drivers or attendants, as  
21 authorized by the department chief or commander and permitted by the Rhode Island Association  
22 of Fire Chiefs and Rhode Island Association of Police Chiefs Joint Committee for Volunteer  
23 Warning Light Permits.

24 (d) "Automobile" means, for registration purposes, every motor vehicle carrying  
25 passengers other than for hire.

26 (e) "Bicycle" means every vehicle having two (2) tandem wheels, except scooters and  
27 similar devices, propelled exclusively by human power, and upon which a person may ride.

28 (f) "Camping recreational vehicle" means a vehicular type camping unit, certified by the  
29 manufacturer as complying with ANSI A119.2 Standards, designed primarily as temporary living  
30 quarters for recreation that has either its own motor power or is mounted on, or towed by, another  
31 vehicle. The basic units are tent trailers, fifth-wheel trailers, motorized campers, travel trailers, and  
32 pick-up campers.

33 (g) "Electric ~~motorized~~ bicycle" means a ~~motorized bicycle that may be propelled by~~  
34 ~~human power or electric motor power, or by both, with an electric motor rated not more than two~~

1 ~~(2) (S.A.E.) horsepower, that is capable of a maximum speed of not more than twenty five (25)~~  
2 ~~miles per hour.~~ bicycle with two (2) or three (3) wheels that is equipped with a seat or saddle for  
3 use by the rider, fully operable pedals for human propulsion, and an electric motor of no more than  
4 seven hundred fifty watts (750 W) that meets the requirements of one of the following three (3)  
5 classes:

6 (1) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides  
7 assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle  
8 reaches the speed of twenty miles per hour (20 mph).

9 (2) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be  
10 used exclusively to propel the bicycle, and that is not capable of providing assistance when the  
11 bicycle reaches the speed of twenty miles per hour (20 mph).

12 (3) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides  
13 assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle  
14 reaches the speed of twenty-eight miles per hour (28 mph).

15 (h) "Electric personal assistive mobility device" ("EPAMD") is a self-balancing, non-  
16 tandem two-wheeled (2) device, designed to transport only one person, with an electric propulsion  
17 system that limits the maximum speed of the device to fifteen (15) miles per hour.

18 (i) "Fifth-wheel trailer": A towable recreational vehicle, not exceeding four hundred (400)  
19 square feet in area, designed to be towed by a motorized vehicle that contains a towing mechanism  
20 that is mounted above or forward of the tow vehicle's rear axle and that is eligible to be registered  
21 for highway use.

22 (j) "Hearse" means every motor vehicle used for transporting human corpses. A hearse  
23 shall be considered an automobile for registration purposes.

24 (k) "Jitney or bus" means: (1) A "public bus" that includes every motor vehicle, trailer,  
25 semi-trailer, tractor trailer, or tractor trailer combination, used for the transportation of passengers  
26 for hire, and operated wholly or in part upon any street or highway as a means of transportation  
27 similar to that afforded by a street railway company, by indiscriminately receiving or discharging  
28 passengers, or running on a regular route or over any portion of one, or between fixed termini; or  
29 (2) A "private bus" that includes every motor vehicle other than a public bus or passenger van  
30 designed for carrying more than ten (10) passengers and used for the transportation of persons, and  
31 every motor vehicle other than a taxicab designed and used for the transportation of persons for  
32 compensation.

33 (l) "Motorcycle" means only those motor vehicles having not more than three (3) wheels  
34 in contact with the ground and a saddle on which the driver sits astride, except bicycles with helper

1 motors as defined in subsection (n) of this section [and electric bicycles defined subsection \(g\) of](#)  
2 [this section](#).

3 (m) "Motor-driven cycle" means every motorcycle, including every motor scooter, with a  
4 motor of no greater than five (5) horsepower, except bicycles with helper motors as defined in  
5 subsection (n) of this section [and electric bicycles defined in subsection \(g\) of this section](#).

6 (n) "Motorized bicycles" means two-wheel (2) vehicles that may be propelled by human  
7 power or helper power, or by both, with a motor rated not more than four and nine-tenths (4.9)  
8 horsepower and not greater than fifty (50) cubic centimeters, that are capable of a maximum speed  
9 of not more than thirty (30) miles per hour, [except electric bicycles defined in subsection \(g\) of this](#)  
10 [section](#).

11 (o) "Motorized camper": A camping recreational vehicle, built on, or permanently attached  
12 to, a self-propelled motor vehicle chassis cab or van that is an integral part of the completed vehicle.

13 (p) "Motorized tricycles" means tricycles that may be propelled by human power or helper  
14 motor, or by both, with a motor rated no more than 1.5 brake horsepower that is capable of a  
15 maximum speed of not more than thirty (30) miles per hour, [except electric bicycles defined in](#)  
16 [subsection \(g\) of this section](#).

17 (q) "Motorized wheelchair" means any self-propelled vehicle, designed for, and used by, a  
18 person with a disability that is incapable of speed in excess of eight (8) miles per hour.

19 (r) "Motor scooter" means a motor-driven cycle with a motor rated not more than four and  
20 nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters that is capable of a  
21 maximum speed of not more than thirty (30) miles per hour, [except electric bicycles defined in](#)  
22 [subsection \(g\) of this section](#).

23 (s) "Motor vehicle" means every vehicle that is self-propelled or propelled by electric  
24 power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved  
25 exclusively by human power, an EPAMD and electric ~~motorized~~ bicycles as defined in subsection  
26 (g) of this section, and motorized wheelchairs.

27 (t) "Motor vehicle for hire" means every motor vehicle other than jitneys, public buses,  
28 hearses, and motor vehicles used chiefly in connection with the conduct of funerals, to transport  
29 persons for compensation in any form, or motor vehicles rented for transporting persons either with  
30 or without furnishing an operator.

31 (u) "Natural gas vehicle" means a vehicle operated by an engine fueled primarily by natural  
32 gas.

33 (v) "Park trailer": A camping recreational vehicle that is eligible to be registered for  
34 highway use and meets the following criteria: (1) Built on a single chassis mounted on wheels; and

1 (2) Certified by the manufacturer as complying with ANSI A119.5.

2 (w) "Passenger van" means every motor vehicle capable of carrying ten (10) to fourteen  
3 (14) passengers plus an operator and used for personal use or on a not-for-hire basis. Passenger  
4 vans may be used for vanpools, transporting passengers to and from work locations, provided that  
5 the operator receives no remuneration other than free use of the vehicle.

6 (x) "Pedal carriage" (also known as "quadricycles") means a nonmotorized bicycle with  
7 four (4) or more wheels operated by one or more persons for the purpose of, or capable of,  
8 transporting additional passengers in seats or on a platform made a part of or otherwise attached to  
9 the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed to  
10 it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the  
11 transportation of a person with a disability, nor shall it include a tricycle built for a child or an adult  
12 with a seat for only one operator and no passenger.

13 (y) "Pick-up camper": A camping recreational vehicle consisting of a roof, floor, and sides  
14 designed to be loaded onto and unloaded from the back of a pick-up truck.

15 (z) "Rickshaw" (also known as "pedi cab") means a nonmotorized bicycle with three (3)  
16 wheels operated by one person for the purpose of, or capable of, transporting additional passengers  
17 in seats or on a platform made a part of, or otherwise attached to, the rickshaw. This definition shall  
18 not include a bicycle built for two (2) where the operators are seated one behind the other, nor shall  
19 it include the operation of a bicycle with trainer or beginner wheels affixed thereto, nor shall it  
20 include a wheelchair or other vehicle with the purpose of operation by or for the transportation of  
21 a person with a disability.

22 (aa) "School bus" means every motor vehicle owned by a public or governmental agency,  
23 when operated for the transportation of children to or from school; or privately owned, when  
24 operated for compensation for the transportation of children to or from school.

25 (bb) "Suburban vehicle" means every motor vehicle with a convertible or interchangeable  
26 body or with removable seats, usable for both passenger and delivery purposes, and including motor  
27 vehicles commonly known as station or depot wagons or any vehicle into which access can be  
28 gained through the rear by means of a hatch or trunk and where the rear seats can be folded down  
29 to permit the carrying of articles as well as passengers.

30 (cc) "Tent trailer": A towable recreational vehicle that is mounted on wheels and  
31 constructed with collapsible partial side walls that fold for towing by another vehicle and unfold  
32 for use and that is eligible to be registered for highway use.

33 (dd) "Trackless trolley coach" means every motor vehicle that is propelled by electric  
34 power obtained from overhead trolley wires, but not operated on rails.

1 (ee) "Travel trailer": A towable recreational vehicle, not exceeding three hundred twenty  
2 square feet (320 sq. ft.) in area, designed to be towed by a motorized vehicle containing a towing  
3 mechanism that is mounted behind the tow vehicle's bumper and that is eligible to be registered for  
4 highway use.

5 (ff) "Vehicle" means every device in, upon, or by which any person or property is or may  
6 be transported or drawn upon a highway, except devices used exclusively upon stationary rails or  
7 tracks.

8 SECTION 3. Section 31-3-2.2 of the General Laws in Chapter 31-3 entitled "Registration  
9 of Vehicles" is hereby amended to read as follows:

10 **31-3-2.2. Registration of motorcycles, motorized bicycles, and motorized tricycles.**

11 (a) Every motorcycle, motorized bicycle, and motorized tricycle owned by a resident of  
12 this state shall be subject to the registration provisions of chapters 3 -- 9 of this title whether the  
13 motorcycle, motorized bicycle, or motorized tricycle is operated or drawn upon a highway within  
14 this state or upon private property. An electric personal assistive mobility device ("EPAMD") and  
15 electric ~~motorized~~ bicycles shall not be required to register under this chapter; provided, however,  
16 that an EPAMD and/or [Class 3](#) electric ~~motorized~~ bicycles shall not be operated in this state by a  
17 person under the age of sixteen (16) years.

18 (b) Notwithstanding any general law to the contrary, cities and towns are empowered to  
19 enact ordinances that permit the use and regulation of electric personal assistive mobility devices  
20 ("EPAMD").

21 SECTION 4. Section 31-3.1-2 of the General Laws in Chapter 31-3.1 entitled "Certificates  
22 of Title and Security Interests" is hereby amended to read as follows:

23 **31-3.1-2. Exclusions.**

24 No certificate of title need be obtained for:

25 (1) A vehicle owned by the United States unless it is registered in this state;

26 (2) A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally  
27 moved on the highway, or used for purposes of testing or demonstration; or a vehicle used by a  
28 manufacturer solely for testing;

29 (3) A vehicle owned by a nonresident of this state and not required by law to be registered  
30 in this state;

31 (4) A vehicle regularly engaged in the interstate transportation of persons or property for  
32 which a currently effective certificate of title has been issued in another state;

33 (5) A vehicle moved solely by human or animal power;

34 (6) An implement of husbandry;

- 1 (7) Special mobile equipment;
- 2 (8) A self-propelled wheelchair or tricycle for a person with a disability;
- 3 (9) A trailer without motive power and designed for carrying property, to be drawn by a  
4 motor vehicle and having a gross vehicle weight rating (GVWR) of three thousand pounds (3,000  
5 lbs.) or less. As used herein, the term "trailer" does not include a travel trailer, a fifth-wheel trailer,  
6 or park trailer, as defined in § 31-1-3;
- 7 (10) Motorized bicycles [or electric bicycles](#); and
- 8 (11) A mobile home or other nonmotorized dwelling unit built on a chassis greater than  
9 eight feet six inches (8' 6") in width or sixty feet (60') in length and containing complete electrical,  
10 plumbing, and sanitary facilities, and designed to be installed on a temporary or permanent  
11 foundation for permanent living quarters.

12 SECTION 5. Section 31-3.2-1 of the General Laws in Chapter 31-3.2 entitled  
13 "Snowmobiles and Recreational Vehicles" is hereby amended to read as follows:

14 **31-3.2-1. Definitions.**

15 For the purpose of this chapter, the terms defined in this section have the following  
16 meanings ascribed to them:

17 (1) "Dealer" means a person, partnership, or corporation engaged in the business of selling  
18 snowmobiles or recreational vehicles at wholesale or retail.

19 (2) "Director" means the director of the department of environmental management acting  
20 directly or through his or her authorized agent.

21 (3) "Manufacturer" means a person, partnership or corporation engaged in the business of  
22 manufacturing snowmobiles or recreational vehicles.

23 (4) "Operate" means to ride in, on, and control the operation of a snowmobile or  
24 recreational vehicle.

25 (5) "Operator" means every person who operates or is in actual physical control of a  
26 snowmobile or recreational vehicle.

27 (6) "Owner" means a person, other than a lienholder, having the property in or title to a  
28 snowmobile or to a recreational vehicle or entitled to the use or possession of one.

29 (7) "Person" includes an individual, partnership, corporation, the state and its agencies and  
30 subdivisions, and any body of persons, whether incorporated or not.

31 (8) "Recreational vehicle" means a motor vehicle including minibikes designed to travel  
32 over unimproved terrain and which has been determined by the division of motor vehicles as  
33 unsuitable for operation on the public way and not eligible for registration for such use. This shall  
34 not be construed to include golf mobiles or golf carts, riding lawn mowers, [electric bicycles](#), or



1 garden tractors, which are not registered as farm vehicles, but shall include any three (3) wheel  
2 driven vehicle and any other four (4) wheel driven vehicle, regardless of type or design, including  
3 all classes of all-terrain vehicles.

4 (9) "Register" means the act of assigning a registration number of a snowmobile or  
5 recreational vehicle.

6 (10) "Roadway" means that portion of a highway improved, designed, or ordinarily used  
7 for vehicular travel.

8 (11) "Snowmobile" means a motor vehicle designed to travel over ice or snow supported  
9 in whole or in part by skis, belts, cleats, or low-pressure tires.

10 SECTION 6. Section 31-5-1 of the General Laws in Chapter 31-5 entitled "Dealers',  
11 Manufacturers', and Rental Licenses" is hereby amended to read as follows:

12 **31-5-1. Definitions.**

13 (a) Whenever the words "licensor" and/or "department" are used in chapters 5 and 5.1 of  
14 this title, they shall mean the "department of revenue".

15 (b) For the purposes of this section, an electric ~~motorized~~ bicycle as defined in § 31-1-3(g)  
16 is not considered a motor vehicle.

17 SECTION 7. Section 31-5.1-1 of the General Laws in Chapter 31-5.1 entitled "Regulation  
18 of Business Practices Among Motor Vehicle Manufacturers, Distributors, and Dealers" is hereby  
19 amended to read as follows:

20 **31-5.1-1. Definitions.**

21 The following words and phrases, for the purposes of this chapter, have the following  
22 meanings:

23 (1) "Designated family member" means the spouse, child, grandchild, parent, brother, or  
24 sister of the owner of a new motor vehicle dealership who, in the case of the owner's death, is  
25 entitled to inherit the ownership interest in the new motor vehicle dealership under the terms of the  
26 owner's will, or who has been nominated in any other written instrument, or who, in the case of an  
27 incapacitated owner of a new motor vehicle dealership, has been appointed by a court as the legal  
28 representative of the new motor vehicle dealer's property.

29 (2) "Distributor" means any person, firm, association, corporation, or trust, resident or  
30 nonresident, who in whole or in part offers for sale, sells, or distributes any new motor vehicle to  
31 new motor vehicle dealers, who maintains factory representatives or who controls any person, firm,  
32 association, corporation or trust, resident or nonresident, who in whole or in part offers for sale,  
33 sells or distributes any new motor vehicle to new motor vehicle dealers.

34 (3) "Established place of business" means a permanent, commercial building located within

1 this state, easily accessible and open to the public at all reasonable times, and at which the business  
2 of a new motor vehicle dealer, including the display and repair of vehicles, may be lawfully carried  
3 on in accordance with the terms of all applicable building codes, zoning, and other land-use  
4 regulatory ordinances.

5 (4) "Factory branch" means a branch office maintained by a manufacturer for the purpose  
6 of selling, or offering for sale, vehicles to a distributor or new motor vehicle dealer, or for directing  
7 or supervising in whole or in part factory or distributor representatives.

8 (5) "Franchise" means the agreement or contract between any new motor vehicle  
9 manufacturer, written or otherwise, and any new motor vehicle dealer which purports to fix the  
10 legal rights and liabilities of the parties to that agreement or contract, and pursuant to which the  
11 dealer purchases and resells the franchise product or leases or rents the dealership premises.

12 (6) "Fraud" includes, in addition to its normal legal connotation, the following: a  
13 misrepresentation in any manner, whether intentionally false or due to gross negligence, of a  
14 material fact; a promise or representation not made honestly and in good faith; and an intentional  
15 failure to disclose a material fact.

16 (7) "Good faith" means honesty in fact and the observation of reasonable commercial  
17 standards of fair dealing in the trade as defined and interpreted in § 6A-2-103(1)(b).

18 (8) "Manufacturer" means any person, partnership, firm, association, corporation, or trust,  
19 resident or nonresident, who manufactures or assembles new motor vehicles, or imports for  
20 distribution through distributors of motor vehicles, or any partnership, firm, association, joint  
21 venture, corporation, or trust, resident or nonresident, which is controlled by the manufacturer.

22 (9) "Motor vehicle" means every vehicle intended primarily for use and operation on the  
23 public highways which is self-propelled, not including [electric bicycles](#), farm tractors and other  
24 machines and tools used in the production, harvesting, and care of farm products.

25 (10) "New motor vehicle" means a vehicle which has been sold to a new motor vehicle  
26 dealer and which has not been used for other than demonstration purposes and on which the original  
27 title has not been issued from the new motor vehicle dealer. The term "motor vehicle" also includes  
28 any engine, transmission, or rear axle, regardless of whether it is attached to a vehicle chassis, that  
29 is manufactured for installation in any motor-driven vehicle with a gross vehicle weight rating of  
30 more than sixteen thousand (16,000) pounds that is required to be registered.

31 (11) "New motor vehicle dealer" means any person engaged in the business of selling,  
32 offering to sell, soliciting, or advertising the sale of new motor vehicles and who holds, or held at  
33 the time a cause of action under this chapter accrued, a valid sales and service agreement, franchise,  
34 or contract, granted by the manufacturer or distributor for the retail sale of that manufacturer's or

1 distributor's new motor vehicles.

2 (12) "Person" means a natural person, corporation, partnership, trust, or other entity, and,  
3 in case of an entity, it includes any other entity in which it has a majority interest or effectively  
4 controls, as well as the individual officers, directors, and other persons in active control of the  
5 activities of that entity.

6 (13) "Relevant market area" means the area within a radius of twenty (20) miles around an  
7 existing dealer or the area of responsibility defined in the franchise, whichever is greater.

8 SECTION 8. Section 31-10.1-1 of the General Laws in Chapter 31-10.1 entitled "Special  
9 License for Motorcycles, Motor Scooters, and Other Motor Driven Cycles" is hereby amended to  
10 read as follows:

11 **31-10.1-1. License required.**

12 No resident of this state, except those expressly exempted in this chapter, shall drive any  
13 motorcycle or motor-driven cycle upon a highway in this state, unless the person shall first obtain  
14 a special license as an operator under the provisions of this chapter; provided, however, motorized  
15 bicycles and motor scooters with a motor rated not more than four and nine-tenths (4.9) horsepower  
16 and not greater than fifty (50) cubic centimeters, which is capable of a maximum speed of not more  
17 than thirty (30) miles per hour, and electric bicycles, shall be exempt from the provisions of this  
18 section. No person shall be licensed pursuant to this chapter unless he or she shall be at least sixteen  
19 (16) years of age or unless the person previously has been issued a full operator's license and a  
20 motorcycle learner's permit or is already licensed under a prior act of this state. Any person under  
21 the age of eighteen (18) duly licensed under the prior act shall be eligible to have his or her license  
22 renewed in the same manner as persons over the age of eighteen (18). All licenses issued pursuant  
23 to this chapter shall reflect any requirement of the operator to wear a helmet pursuant to § 31-10.1-  
24 4.

25 SECTION 9. Sections 31-19-3, 31-19-11 and 31-19-12 of the General Laws in Chapter 31-  
26 19 entitled "Operation of Bicycles" are hereby amended to read as follows:

27 **31-19-3. Applicability of traffic laws.**

28 Every person riding an electric personal assistive mobility device ("EPAMD"), riding an  
29 electric ~~motorized~~ bicycle, or propelling a vehicle by human power shall be granted all of the rights  
30 and shall be subject to all of the duties applicable to the driver of any other vehicle by chapters 12  
31 -- 27 of this title, except as to special regulations in this chapter and except as to those provisions  
32 of chapters 12 -- 27 of this title which by their nature can have no application. This section shall  
33 not forbid a bicyclist, EPAMD or electric ~~motorized~~ bicycle from traveling upon the shoulders of  
34 the highway except for those highways which prohibit bicyclists; provided, that an EPAMD shall

1 possess all the rights and obligations of a pedestrian, but shall not have the rights and  
2 responsibilities of the operator of a motor vehicle and that cities and towns may regulate the  
3 operation of an EPAMD. Violations of this section are subject to fines enumerated in § 31-41.1-4.

4 **31-19-11. Bicycles and motorized wheelchairs on sidewalks and crosswalks.**

5 A person may ride any vehicle operated by human power or may operate a motorized  
6 wheelchair, [electric bicycle](#), or an electric personal assistive mobility device ("EPAMD") as  
7 defined in § 31-1-3 upon and along a sidewalk, a bicycle lane, a bicycle route or across a roadway  
8 upon and along a crosswalk, unless prohibited by official traffic-control devices (signs).

9 **31-19-12. Bicycles on sidewalks and crosswalks -- Rights and duties.**

10 A person propelling a vehicle by human power, [an electric bicycle](#), or operating an electric  
11 personal assistive mobility device ("EPAMD") upon and along a sidewalk, or across a roadway  
12 upon and along a crosswalk, shall be granted all the rights and shall be subject to all the duties  
13 applicable to a pedestrian under the same circumstances; provided, however, that a person riding  
14 an electric personal assistive mobility device ("EPAMD") on a sidewalk or a bicycle path or trail  
15 shall yield the right-of-way to pedestrians or give an audible signal before overtaking any passing  
16 pedestrian. Pedestrians using an EPAMD shall exercise a high degree of care when passing a  
17 pedestrian using a wheelchair, walker or other mobility aid and only pass when the width of the  
18 sidewalk exceeds five (5) feet. For purposes of this section electric personal assistive mobility  
19 devices ("EPAMD") and electric ~~motorized~~ bicycles shall be prohibited from sidewalks and  
20 crosswalks in the town of New Shoreham.

21 SECTION 10. This act shall take effect upon passage.

=====  
LC001440  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- OPERATION OF BICYCLES

\*\*\*

1           This act would create three (3) classes of electric bicycles with specific requirements  
2 governing their regulation and use with certain exceptions from various sections of the general laws  
3 dealing with ownership of other vehicles regulated by the division of motor vehicles (DMV).

4           This act would take effect upon passage.

=====  
LC001440  
=====