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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO MOTOR VEHICLES -- TYPES OF VEHICLES

Introduced By: Senator Maryellen Goodwin

Date Introduced: March 26, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

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

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

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

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

14 (3) For any vehicle that is more than twenty-five (25) years old, the division of motor
15 vehicles may also issue or approve, subject to rules and regulations that may be promulgated by
16 the administrator, a "year of manufacture plate" for the vehicle that is an exact replica plate
17 designating the exact year of manufacture of the vehicle. The year of manufacture plate, as
18 authorized by this subsection, need only be attached to the rear of the vehicle.

19 (b)(1) "Antique motorcycle" means any motorcycle that is more than twenty-five (25) years

1 old. Unless fully inspected and meeting inspection requirements, the vehicle shall be maintained
2 solely for use in exhibitions, club activities, parades, and other functions of public interest. The
3 vehicle may also be used for limited enjoyment and purposes other than the previously mentioned
4 activities, but may not be used primarily for the transportation of passengers or goods over any
5 public highway; and

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

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

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

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

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

28 (g) "Electric ~~motorized~~ bicycle" means ~~a motorized bicycle that may be propelled by~~
29 ~~human power or electric motor power, or by both, with an electric motor rated not more than two~~
30 ~~(2) (S.A.E.) horsepower, that is capable of a maximum speed of not more than twenty five (25)~~
31 ~~miles per hour. a bicycle with two (2) or three (3) wheels that is equipped with a seat or saddle for~~
32 ~~use by the rider, fully operable pedals for human propulsion, and an electric motor of no more than~~
33 ~~seven hundred fifty watts (750W) that meets the requirements of one of the following three (3)~~
34 ~~classes:~~

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

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

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

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

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

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

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

28 (l) "Motorcycle" means only those motor vehicles having not more than three (3) wheels
29 in contact with the ground and a saddle on which the driver sits astride, except bicycles with helper
30 motors as defined in subsection (n) of this section and electric bicycles as defined in subsection (g)
31 of this section.

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

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

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

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

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

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

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

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

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

28 (v) "Park trailer": A camping recreational vehicle that is eligible to be registered for
29 highway use and meets the following criteria: (1) Built on a single chassis mounted on wheels; and
30 (2) Certified by the manufacturer as complying with ANSI A119.5.

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

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

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

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

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

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

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

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

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

34 (ff) "Vehicle" means every device in, upon, or by which any person or property is or may

1 be transported or drawn upon a highway, except devices used exclusively upon stationary rails or
2 tracks.

3 SECTION 2. Section 31-3-2.2 of the General Laws in Chapter 31-3 entitled "Registration
4 of Vehicles" is hereby amended to read as follows:

5 **31-3-2.2. Registration of motorcycles, motorized bicycles, and motorized tricycles.**

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

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

16 SECTION 3. Section 31-3.1-2 of the General Laws in Chapter 31-3.1 entitled "Certificates
17 of Title and Security Interests" is hereby amended to read as follows:

18 **31-3.1-2. Exclusions.**

19 No certificate of title need be obtained for:

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

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

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

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

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

29 (6) An implement of husbandry;

30 (7) Special mobile equipment;

31 (8) A self-propelled wheelchair or tricycle for a person with a disability;

32 (9) A trailer without motive power and designed for carrying property, to be drawn by a
33 motor vehicle and having a gross vehicle weight rating (GVWR) of three thousand pounds (3,000
34 lbs.) or less. As used herein, the term "trailer" does not include a travel trailer, a fifth-wheel trailer,

1 or park trailer, as defined in § 31-1-3;

2 (10) Motorized bicycles [or electric bicycles](#); and

3 (11) A mobile home or other nonmotorized dwelling unit built on a chassis greater than
4 eight feet six inches (8' 6") in width or sixty feet (60') in length and containing complete electrical,
5 plumbing, and sanitary facilities, and designed to be installed on a temporary or permanent
6 foundation for permanent living quarters.

7 SECTION 4. Section 31-3.2-1 of the General Laws in Chapter 31-3.2 entitled
8 "Snowmobiles and Recreational Vehicles" is hereby amended to read as follows:

9 **31-3.2-1. Definitions.**

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

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

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

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

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

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

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

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

26 (8) "Recreational vehicle" means a motor vehicle including minibikes designed to travel
27 over unimproved terrain and which has been determined by the division of motor vehicles as
28 unsuitable for operation on the public way and not eligible for registration for such use. This shall
29 not be construed to include golf mobiles or golf carts, riding lawn mowers, [electric bicycles](#) or
30 garden tractors, which are not registered as farm vehicles, but shall include any three (3) wheel
31 driven vehicle and any other four (4) wheel driven vehicle, regardless of type or design, including
32 all classes of all-terrain vehicles.

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

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

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

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

7 **31-5-1. Definitions.**

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

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

12 SECTION 6. Section 31-5.1-1 of the General Laws in Chapter 31-5.1 entitled "Regulation
13 of Business Practices Among Motor Vehicle Manufacturers, Distributors, and Dealers" is hereby
14 amended to read as follows:

15 **31-5.1-1. Definitions.**

16 The following words and phrases, for the purposes of this chapter, have the following
17 meanings:

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

24 (2) "Distributor" means any person, firm, association, corporation, or trust, resident or
25 nonresident, who in whole or in part offers for sale, sells, or distributes any new motor vehicle to
26 new motor vehicle dealers, who maintains factory representatives or who controls any person, firm,
27 association, corporation or trust, resident or nonresident, who in whole or in part offers for sale,
28 sells or distributes any new motor vehicle to new motor vehicle dealers.

29 (3) "Established place of business" means a permanent, commercial building located within
30 this state, easily accessible and open to the public at all reasonable times, and at which the business
31 of a new motor vehicle dealer, including the display and repair of vehicles, may be lawfully carried
32 on in accordance with the terms of all applicable building codes, zoning, and other land-use
33 regulatory ordinances.

34 (4) "Factory branch" means a branch office maintained by a manufacturer for the purpose

1 of selling, or offering for sale, vehicles to a distributor or new motor vehicle dealer, or for directing
2 or supervising in whole or in part factory or distributor representatives.

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

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

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

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

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

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

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

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

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

3 SECTION 7. Section 31-10.1-1 of the General Laws in Chapter 31-10.1 entitled "Special
4 License for Motorcycles, Motor Scooters, and Other Motor Driven Cycles" is hereby amended to
5 read as follows:

6 **31-10.1-1. License required.**

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

20 SECTION 8. Sections 31-19-3, 31-19-11 and 31-19-12 of the General Laws in Chapter 31-
21 19 entitled "Operation of Bicycles" are hereby amended to read as follows:

22 **31-19-3. Applicability of traffic laws.**

23 Every person riding an electric personal assistive mobility device ("EPAMD"), riding an
24 electric ~~motorized~~ bicycle, or propelling a vehicle by human power shall be granted all of the rights
25 and shall be subject to all of the duties applicable to the driver of any other vehicle by chapters 12
26 -- 27 of this title, except as to special regulations in this chapter and except as to those provisions
27 of chapters 12 -- 27 of this title which by their nature can have no application. This section shall
28 not forbid a bicyclist, EPAMD or electric ~~motorized~~ bicycle from traveling upon the shoulders of
29 the highway except for those highways which prohibit bicyclists; provided, that an EPAMD shall
30 possess all the rights and obligations of a pedestrian, but shall not have the rights and
31 responsibilities of the operator of a motor vehicle and that cities and towns may regulate the
32 operation of an EPAMD. Violations of this section are subject to fines enumerated in § 31-41.1-4.

33 **31-19-11. Bicycles and motorized wheelchairs on sidewalks and crosswalks.**

34 A person may ride any vehicle operated by human power or may operate a motorized

1 wheelchair, [electric bicycle](#), or an electric personal assistive mobility device ("EPAMD") as
2 defined in § 31-1-3 upon and along a sidewalk, a bicycle lane, a bicycle route or across a roadway
3 upon and along a crosswalk, unless prohibited by official traffic-control devices (signs).

4 **31-19-12. Bicycles on sidewalks and crosswalks -- Rights and duties.**

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

16 SECTION 9. Chapter 31-19 of the General Laws entitled "Operation of Bicycles" is hereby
17 amended by adding thereto the following section:

18 **31-19-23. Electric bicycles.**

19 [\(a\) Except as specifically provided, an electric bicycle or an operator of an electric bicycle](#)
20 [shall be afforded all the rights and privileges, and be subject to all of the duties and provisions of](#)
21 [this chapter, of a bicycle or the operator of a bicycle.](#)

22 [\(b\) An electric bicycle is a vehicle to the same extent as a bicycle.](#)

23 [\(c\) An electric bicycle or a person operating an electric bicycle is not subject to the](#)
24 [provisions of this title applicable to motor vehicles, including, but not limited to, registration,](#)
25 [certificates of title, operators' licenses, financial responsibility, recreational vehicles, motor vehicle](#)
26 [dealers, or commercial motor vehicles.](#)

27 [\(d\) On and after January 1, 2022, manufacturers and distributors of electric bicycles shall](#)
28 [apply a label that is permanently affixed, in a prominent location, to each electric bicycle. The label](#)
29 [shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle,](#)
30 [and shall be printed in Arial font in at least 9-point type.](#)

31 [\(e\) A person shall not tamper with or modify an electric bicycle so as to change the motor-](#)
32 [powered speed capability or engagement of an electric bicycle, unless he or she appropriately](#)
33 [replaces the label indicating the classification required in subsection \(d\) of this section.](#)

34 [\(f\) An electric bicycle shall comply with the equipment and manufacturing requirements](#)

1 for bicycles adopted by the United States Consumer Product Safety Commission (16 C.F.R. part
2 1512).

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

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

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

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

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

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR VEHICLES -- TYPES OF VEHICLES

1 This act would create a new section for electric bicycles within the chapter of operation of
2 bicycles. This new section would mandate that on and after January 1, 2022, manufacturers and
3 distributors create a label that is permanently affixed, to each electric bicycle. The label would
4 contain the classification number, top assisted speed, and motor wattage of the electric bicycle.
5 Additionally this act would amend varies sections of the general laws to apply to and regulate
6 electric bicycles.

7 This act would take effect upon passage.

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