

2022 -- H 7839 SUBSTITUTE A

LC005024/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- REGULATION OF ELECTRIC BICYCLES

Introduced By: Representatives Kislak, Baginski, Ajello, Speakman, McGaw, Potter, and Tanzi

Date Introduced: March 04, 2022

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 31 of the General Laws entitled "MOTOR AND OTHER VEHICLES"
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 19.6

4 REGULATION OF ELECTRIC BICYCLES

5 **31-19.6-1. Regulation.**

6 Electric bicycles are to be regulated like bicycles. The same rules of the road apply to both
7 electric bicycles and human-powered bicycles pursuant to the provisions of this title.

8 **31-19.6-2. Exemptions from regulation.**

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

13 **31-19.6-3. Classes.**

14 There shall be three (3) classes of electric bicycles:

15 (1) Class 1: Bicycle equipped with an electric motor that provides assistance only when the
16 rider is pedaling, and that ceases to provide assistance when the electric bicycle reaches twenty
17 miles per hour (20 mph).

18 (2) Class 2: Bicycle equipped with a throttle-actuated electric motor that ceases to provide

1 assistance when the electric bicycle reaches twenty miles per hour (20 mph).

2 (3) Class 3: Bicycle equipped with an electric motor that provides assistance only when the
3 rider is pedaling, and that ceases to provide assistance when the electric bicycle reaches twenty-
4 eight miles per hour (28 mph).

5 **31-19.6-4. Helmets required - Age of operators.**

6 (a) Helmets, as defined in § 31-19-2.1, are required for riders fifteen (15) years of age or
7 younger for all three (3) classes of electric bicycles and for all riders of Class 3 electric bicycles.

8 (b) Persons under sixteen (16) years of age may not ride a Class 3 electric bicycle, unless
9 as a passenger.

10 **31-19.6-5. Speedometer.**

11 All Class 3 electric bicycles shall be equipped with a speedometer that is capable of
12 displaying the speed the electric bicycle is traveling in miles per hour.

13 **31-19.6-6. Municipal regulations.**

14 (a) Local governments shall not restrict the use of electric bicycles except to regulate the
15 speed they may travel or in order to comply with other laws or legal obligations.

16 (b) A person shall not operate a Class 3 electric bicycle on a bicycle lane or multi-use path
17 in excess of the posted or applicable speed limit, or if there is no posted or applicable speed limit,
18 twenty miles per hour (20 mph).

19 **31-19.6-7. Labels on electronic bicycles.**

20 On or after January 1, 2023, manufacturers and distributors of electric bicycles shall apply
21 a label that is permanently affixed, in a prominent location, to each electric bicycle. The label shall
22 contain the classification number, top assisted speed, and motor wattage of the electric bicycle and
23 shall be printed in Arial font in at least nine (9) point type.

24 **31-19.6-8. Consumer protection.**

25 An electric bicycle shall comply with the equipment and manufacturing requirements for
26 bicycles adopted by the United States Consumer Product Safety Commission (16 C.F.R. Part 1512).

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

29 **31-1-3. Types of vehicles.**

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

1 over any public highway.

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

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

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

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

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

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

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

34 (f) "Camping recreational vehicle" means a vehicular type camping unit, certified by the

1 manufacturer as complying with ANSI A119.2 Standards, designed primarily as temporary living
2 quarters for recreation that has either its own motor power or is mounted on, or towed by, another
3 vehicle. The basic units are tent trailers, fifth-wheel trailers, motorized campers, travel trailers, and
4 pick-up campers.

5 (g) "Electric motorized bicycle" means a motorized bicycle that may be propelled by
6 human power or electric motor power, or by both, with an electric motor rated not more than two
7 (2) (S.A.E.) horsepower, that is capable of a maximum speed of not more than ~~twenty-five (25)~~
8 twenty-eight (28) miles per hour.

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

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

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

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

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

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

33 (n) "Motorized bicycles" means two-wheel (2) vehicles that may be propelled by human
34 power or helper power, or by both, with a motor rated not more than four and nine-tenths (4.9)

1 horsepower and not greater than fifty (50) cubic centimeters, that are capable of a maximum speed
2 of not more than thirty (30) miles per hour.

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

5 (p) "Motorized tricycles" means tricycles that may be propelled by human power or helper
6 motor, or by both, with a motor rated no more than 1.5 brake horsepower that is capable of a
7 maximum speed of not more than thirty (30) miles per hour.

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

10 (r) "Motor scooter" means a motor-driven cycle with a motor rated not more than four and
11 nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters that is capable of a
12 maximum speed of not more than thirty (30) miles per hour.

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

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

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

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

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

30 (x) "Pedal carriage" (also known as "quadricycles") means a nonmotorized bicycle with
31 four (4) or more wheels operated by one or more persons for the purpose of, or capable of,
32 transporting additional passengers in seats or on a platform made a part of or otherwise attached to
33 the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed to
34 it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the

1 transportation of a person with a disability, nor shall it include a tricycle built for a child or an adult
2 with a seat for only one operator and no passenger.

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

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

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

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

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

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

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

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

32 SECTION 3. This act shall take effect January 1, 2023.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- REGULATION OF ELECTRIC
BICYCLES

1 This act would regulate electric bicycles in the same manner as human-powered bicycles,
2 classify electric bicycles into three (3) classes, require all electric bicycles to have a label affixed
3 to the bicycle, be equipped with a speedometer and would permit electric bicycles to be capable of
4 a maximum speed of twenty-eight (28) miles per hour.

5 This act would take effect January 1, 2023.

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