
Transportation Committee

HB 2782

Brief Description: Concerning electric-assisted bicycles.

Sponsors: Representatives Kilduff, Stambaugh, Chapman, Muri and Doglio.

Brief Summary of Bill

- Defines and classifies electric-assisted bicycles.
- Modifies the definition of bicycle.
- Requires a manufacturer or distributor of new electric-assisted bicycles to affix a label to the electric-assisted bicycle indicating classification number, top assisted speed, and motor wattage.
- Removes a driver's license requirement for the operation of an electric-assisted bicycle.
- Restricts the operation of Class 3 electric-assisted bicycles to persons age 16 or older.
- Specifies where electric-assisted bicycles may be used.

Hearing Date: 1/31/18

Staff: Paul Ingiosi (786-7114).

Background:

In 1997 Washington defined electric-assisted bicycles as bicycles with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor with a power output of no more than 1,000 watts. The electric-assisted bicycle must also be incapable of propelling the device at a speed of more than 20 miles per hour (mph) on level ground, and be incapable of further increasing the speed of the device when human power alone is used to propel the device beyond 20 mph.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A 2002 federal law amended the Consumer Product Safety Commission definition of electric-assisted bicycles and defined a low-speed bicycle as "A two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weights 170 pounds, is less than 20 mph." While the federal government regulates the manufacturing and first sale of an electric-assisted bicycle, the operation on roadways and paths is under a state's control.

In Washington there is no driver's license requirement for operators at least 16 years of age; however, persons under 16 years of age may not operate an electric-assisted bicycle. Provisions relating to bicycle helmets apply to riders of electric-assisted bicycles. Electric-assisted bicycles may not be operated on a fully controlled limited access highway or sidewalk but may have access to highways of the state to the same extent as bicycles. Additionally, local jurisdictions may restrict or otherwise limit the access of electric-assisted bicycles.

Summary of Bill:

An electric-assisted bicycle's motor must have a power output of no more than 750 watts and the electric-assisted bicycle must meet the requirements of one of three classifications:

1. Class 1 electric-assisted bicycle in which the motor provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 mph;
2. Class 2 electric-assisted bicycle in which the motor may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 mph; or
3. Class 3 electric-assisted bicycle in which the motor provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 mph and is equipped with a speedometer.

The definition of a bicycle is updated to include electric-assisted bicycles.

Beginning July 1, 2018, manufacturers or distributors of new electric-assisted bicycles for sale or distribution in Washington must permanently affix in a prominent location on the electric-assisted bicycle a label that contains the classification number, top assisted speed, and motor wattage. Individuals may not tamper or modify an electric-assisted bicycle to change the speed capability unless the label is appropriately replaced. Manufacturers and distributors must also comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission.

While there is no driver's license required for the operation of an electric-assisted bicycle, persons under the age of 16 may not operate a Class 3 electric-assisted bicycle.

Electric-assisted bicycles may be operated on a fully controlled limited access highway and Class 1 and 2 electric-assisted bicycles may be used on a sidewalk. Class 3 electric-assisted bicycles may not be used on a sidewalk unless there is no alternative to travel over a sidewalk as part of a bicycle or pedestrian path. Finally, Class 1 and 2 electric-assisted bicycles may use a shared-use path or any part of a highway designated for the use of bicycles, such as a bicycle lane, but local jurisdictions may still restrict or otherwise limit the access of electric-assisted

bicycles. Class 3 electric-assisted bicycles may be operated on facilities that are within or adjacent to a highway; however, they may not be operated on a shared-use path except where local jurisdictions allow the use. State and local agencies may regulate the use of Class 3 electric-assisted bicycles on facilities and properties under their jurisdiction and control.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.