
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 514 Original

2020 Regular Session

Willard

Abstract: Defines "electric-assisted bicycles" and provides for the operation, rights, requirements, and restrictions applicable to electric-assisted bicycles.

Present law provides definitions related to motor vehicles and traffic regulations.

Present law defines "bicycle" as every device upon which any person may ride, propelled exclusively by human power, and having one or more wheels.

Proposed law modifies the definition of "bicycle" from every device upon which any person may ride to every device upon which any person or persons may ride when the design accommodates passengers. Proposed law modifies the definition of "bicycle" from a device having one or more wheels to a device having two tandem wheels, either of which is 16 inches or more in diameter, or three wheels, any one of which is 20 inches or more in diameter.

Proposed law defines an "electric-assisted bicycle" as every bicycle upon which any person or persons, when the design accommodates passengers, may ride, having two tandem wheels, either of which is 16 inches or more in diameter, or three wheels, any of which is 20 inches or more in diameter, equipped with fully operable pedals, and an electric motor of less than 750 watts that meets the requirement of either a Class one electric-assisted bicycle, a Class two electric-assisted bicycle, or a Class three electric assisted bicycle.

Proposed law defines a "Class one electric-assisted bicycle" as an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 mph.

Proposed law defines a "Class two electric-assisted bicycle" as an electric-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 mph.

Proposed law defines a "Class three electric-assisted bicycle" as an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 mph.

Present law defines a "motorcycle" as every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground. Present law

excludes a tractor and a motorized bicycle from the definition of a motorcycle.

Proposed law adds an exclusion for an "electric-assisted bicycle" to the definition of a motorcycle.

Present law defines "motor vehicle" as every vehicle which is self-propelled, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. Present law excludes a motorized bicycle from the definition of a motor vehicle.

Proposed law adds an exclusion for an "electric-assisted bicycle" to the definition of "motor vehicle".

Present law defines "motorized bicycle" as a pedal bicycle which may be propelled by human power or helper motor, or by both, with a motor rated no more than one and one-half brake horsepower, a cylinder capacity not exceeding 50 cubic centimeters, an automatic transmission, and which produces a maximum design speed of 25 mph on a flat surface.

Proposed law adds an exclusion for an "electric-assisted bicycle" to the definition of a "motorized bicycle".

Present law authorizes the use of a motorized bicycle in a bicycle lane when the driver travels at a reasonable or prudent speed, has due regard for visibility, traffic conditions, and the condition of the roadway surface of the bicycle lane, and in a manner which does not endanger the safety of bicyclists.

Proposed law also authorizes the use of an electric-assisted bicycle in a bicycle lane when the driver travels at a reasonable or prudent speed, has due regard for visibility, traffic conditions, and the condition of the roadway surface of the bicycle lane, and in a manner which does not endanger the safety of bicyclists.

Proposed law requires electric-assisted bicycles or an operator of an electric-assisted bicycle to be afforded all the rights, privileges, and duties of a bicycle or the operator of a bicycle. An electric-assisted bicycle is considered a vehicle in the same regards as a bicycle.

Proposed law requires manufacturers and distributors of electric-assisted bicycles to apply a label permanently affixed in a prominent location to each electric-assisted bicycle. Proposed law requires the label contain the classification number, top-assisted speed, and motor wattage of the electric-assisted bicycle. Proposed law establishes an effective date of Aug. 1, 2020.

Proposed law prohibits a person from tampering with or modifying an electric-assisted bicycle so as to change its classification, unless the manufacturer's label indicating its classification is appropriately replaced.

Proposed law authorizes a "Class one electric-assisted bicycle" or "Class two electric-assisted bicycle" to operate on a permitted bicycle or shared-use trail. Proposed law authorizes the local municipal authority, local parish authority, or state agency having jurisdiction over a bicycle or shared-use trail to prohibit the operation of a "Class one electric-assisted bicycle" or "Class two

electric-assisted bicycle" on a permitted bicycle or shared-use trail.

Proposed law prohibits a Class three electric-assisted bicycle from operating on a bicycle or shared-use trail unless within or adjacent to a highway or roadway, or unless the local municipal authority, local parish authority, or state agency having jurisdiction over the trail permits this operation.

Proposed law prohibits a person under the age of 16 from operating a "Class three electric-assisted bicycle". Proposed law authorizes a person under the age of 16 to ride as a passenger on a "Class three electric-assisted bicycle" designed to accommodate passengers.

Proposed law requires all operators and passengers of Class three electric-assisted bicycles to wear a properly fitted, fastened bicycle helmet that meets the standards provided by either the U.S. Consumer Product Safety Commission or the American Society for Testing and Materials, or standards subsequently established by either entity.

Proposed law requires Class three electric-assisted bicycles be equipped with a speedometer that displays the speed in mph.

Effective Aug. 1, 2020.

(Amends R.S. 32:1(4), (38), (40) and (41) and 203(C); Adds R.S. 32:1(95) and 204-204.4)