

SENATE FILE NO. SF0081

Electric bicycles-regulation.

Sponsored by: Senator(s) Nethercott, Kost, Pappas and Schuler  
and Representative(s) Brown, Duncan, Furphy  
and Pelkey

A BILL

for

1 AN ACT relating to the regulation of traffic on highways;  
2 defining and regulating electric bicycles; establishing  
3 classes of electric bicycles; requiring a label on an electric  
4 bicycle; specifying applicability; making conforming  
5 amendments; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 31-5-707 is created to read:

10

11

ARTICLE 7

12

BICYCLES AND ELECTRIC BICYCLES

13

14

**31-5-707. Electric bicycles.**

15

1           (a) The operator of an electric bicycle is subject to  
2 W.S. 31-5-702 and is not subject to the provisions of this  
3 title relating to financial responsibility, driver's  
4 licenses, registration, certificates of title or off-road  
5 recreational vehicles. An electric bicycle shall not be a  
6 motor vehicle.

7

8           (b) On and after January 1, 2020, every manufacturer or  
9 distributor of an electric bicycle shall ensure that a label  
10 is permanently affixed in a prominent location on each  
11 electric bicycle sold or distributed by the manufacturer or  
12 distributor. The label shall indicate the class number as  
13 defined in W.S. 31-1-101(a)(xxxiv), the top assisted speed  
14 and motor wattage of the electric bicycle and shall be printed  
15 in at least nine (9) point font.

16

17           (c) A person shall not modify an electric bicycle to  
18 change the motor-powered speed capability or motor engagement  
19 of the electric bicycle, unless the person replaces the label  
20 required in subsection (b) of this section indicating the  
21 classification.

22

1           (d) An electric bicycle shall comply with United States  
2 consumer product safety commission equipment and  
3 manufacturing requirements for bicycles, 16 C.F.R. 1512.

4

5           (e) An electric bicycle shall operate so that the  
6 electric motor is disengaged or ceases to function when the  
7 rider stops pedaling or applies the brakes.

8

9           (f) An electric bicycle may be operated where bicycles  
10 are permitted to travel, subject to the following:

11

12           (i) A class 1 electric bicycle or a class 2  
13 electric bicycle may be operated on bicycle or multi-use paths  
14 where bicycles are allowed, except that the local authority  
15 or state agency with jurisdiction over a bicycle or multi-use  
16 path may prohibit the operation of a class 1 electric bicycle  
17 or class 2 electric bicycle on that path;

18

19           (ii) A class 3 electric bicycle shall not be  
20 operated on a bicycle or multi-use path unless it is within  
21 or adjacent to a highway or roadway or unless the local  
22 authority or state agency with jurisdiction over the path  
23 allows that operation;

1

2           (iii) A local authority or state agency with  
3 jurisdiction may regulate the use of any class of electric  
4 bicycles on designated nonmotorized trails under its  
5 jurisdiction. For purposes of this paragraph, "nonmotorized  
6 trail" means a trail with a natural surface made by clearing  
7 and grading the native soil with no added surfacing materials.

8

9           (g) Use of a class 3 electric bicycle is subject to the  
10 following:

11

12           (i) No person under the age of sixteen (16) shall  
13 operate a class 3 electric bicycle;

14

15           (ii) A person under the age of sixteen (16) may  
16 ride as a passenger on a class 3 bicycle that is designed to  
17 accommodate a passenger;

18

19           (iii) No minor shall operate or ride nor shall the  
20 operator permit a minor to ride a class 3 electric bicycle  
21 unless the minor is wearing a properly fitted and fastened  
22 bicycle helmet that meets United States consumer product

1 safety commission or American society for testing and  
2 materials standards;

3

4 (iv) A class 3 electric bicycle shall be equipped  
5 with a speedometer that can display the speed of the electric  
6 bicycle in miles per hour.

7

8 **Section 2.** W.S. 31-1-101(a)(xv)(intro), (C), (E),  
9 (xxix) and by creating a new paragraph (xxxiv),  
10 31-5-102(a)(xxi) through (xxiv) and by creating a new  
11 paragraph (lxviii), 31-5-109(a)(vii), 31-5-119(a) and (b),  
12 31-5-203(c), 31-5-702 and 31-5-901(c) are amended to read:

13

14 **31-1-101. Definitions.**

15

16 (a) Except as otherwise provided, as used in this act:

17

18 (xv) "Motor vehicle" means every vehicle which is  
19 self-propelled except vehicles moved solely by human power,  
20 electric bicycles or motorized skateboards. The term  
21 includes the following vehicles as hereafter defined:

22

1                   (C) "Moped" means a vehicle equipped with two  
2 (2) or three (3) wheels, foot pedals to permit muscular  
3 propulsion by human power, an automatic transmission and a  
4 motor with cylinder capacity not exceeding fifty (50) cubic  
5 centimeters producing no more than two (2) brake horsepower,  
6 which motor is capable of propelling the vehicle at a maximum  
7 speed of no more than thirty (30) miles per hour on a level  
8 road surface. "Moped" does not include an electric bicycle;  
9

10                   (E) "Motorcycle" means every motor vehicle  
11 having a seat or saddle for the use of the rider and designed  
12 to travel on not more than three (3) wheels in contact with  
13 the ground but which may have attached thereto a sidecar for  
14 the purpose of transporting a single passenger. For the  
15 purpose of registration and titling "motorcycle" includes  
16 motorized bicycles and scooters, but excludes mopeds,  
17 motorized skateboards, multipurpose vehicles, electric  
18 bicycles and off-road recreational vehicles as defined in  
19 subparagraph (K) of this paragraph;  
20

21                   (xxix) "Motorized skateboard" means a  
22 self-propelled device which has a motor or engine, a deck on  
23 which a person may ride and at least two (2) wheels in contact

1 with the ground and which is not otherwise defined in this  
2 act as a "motor vehicle", "motorcycle", "electric bicycle",  
3 "motor-driven cycle" or "pedestrian vehicle"i.

4  
5 (xxxiv) "Electric bicycle" means a bicycle or  
6 tricycle equipped with fully operable pedals, a seat or saddle  
7 for the rider's use and an electric motor of less than seven  
8 hundred fifty (750) watts that meets the requirements of one  
9 (1) of the following three (3) classes:

10  
11 (A) "Class 1 electric bicycle" means an  
12 electric bicycle equipped with a motor that provides  
13 assistance only when the rider is pedaling and that ceases to  
14 provide assistance when the bicycle reaches a speed of twenty  
15 (20) miles per hour;

16  
17 (B) "Class 2 electric bicycle" means an  
18 electric bicycle equipped with a motor that may be used to  
19 propel the bicycle without pedaling and that is not capable  
20 of providing assistance when the bicycle reaches a speed of  
21 twenty (20) miles per hour;

22

1                   (C) "Class 3 electric bicycle" means an  
2 electric bicycle equipped with a motor that provides  
3 assistance only when the rider is pedaling and that ceases to  
4 provide assistance when the bicycle reaches a speed of  
5 twenty-eight (28) miles per hour.

6  
7           **31-5-102. Definitions.**

8  
9           (a) Except as otherwise provided, as used in this act:

10  
11                   (xxi) "Moped" means a motor-driven cycle both with  
12 foot pedals to permit muscular propulsion by human power and  
13 with a motor which produces no more than two (2) brake  
14 horsepower and which is capable of propelling the vehicle at  
15 a maximum speed of no more than thirty (30) miles per hour on  
16 a level road surface. If an internal combustion engine is  
17 used, the displacement shall not exceed more than fifty (50)  
18 cubic centimeters and the moped shall have a power drive  
19 system that functions directly or automatically without  
20 clutching or shifting by the driver after the drive system is  
21 engaged. "Moped" does not include an electric bicycle;

22



1           (xxii) "Motorcycle" means any motor vehicle having  
2 a seat or saddle for the use of the rider and designed to  
3 travel on not more than three (3) wheels in contact with the  
4 ground, excluding off-road recreation vehicles as defined in  
5 W.S. 31-1-101(a)(xv)(K) and electric bicycles, but including  
6 a motor vehicle designed as a recreational vehicle primarily  
7 for off-road use to be ridden astride and to travel on four  
8 (4) wheels;

9

10           (xxiii) "Motor-driven cycle" means any  
11 motorcycle, including motor scooters and motorized bicycles  
12 having an engine with less than one hundred fifty (150) cubic  
13 centimeters displacement or with five (5) brake horsepower or  
14 less but does not include motorized skateboards or electric  
15 bicycles;

16

17           (xxiv) "Motor vehicle" means every vehicle which  
18 is self-propelled except vehicles moved solely by human  
19 power, electric bicycles and motorized skateboards as defined  
20 by paragraph (a)(lxii) of this section;

21

22           (lxviii) "Electric bicycle" means as defined in  
23 W.S. 31-1-101(a)(xxxiv).

1

2           **31-5-109. General powers of local authorities.**

3

4           (a) This act does not prevent local authorities with  
5 respect to streets and highways under their jurisdiction and  
6 within the reasonable exercise of the police power from:

7

8                       (vii) Regulating the operation of bicycles and  
9 electric bicycles and requiring the registration and  
10 licensing of bicycles and electric bicycles, including the  
11 requirement of a registration fee;

12

13           **31-5-119. Clinging to vehicles.**

14

15           (a) No person riding upon any bicycle, electric  
16 bicycle, coaster, roller skates, sled or toy vehicle shall  
17 attach it or himself to any vehicle upon a roadway.

18

19           (b) This section does not prohibit attaching a bicycle  
20 trailer or bicycle semitrailer to a bicycle or electric  
21 bicycle if the trailer or semitrailer was designed for the  
22 attachment.

23

1           **31-5-203. Rules governing overtaking on the left.**

2

3           (c) The driver of a motor vehicle overtaking and  
4 passing a bicycle or electric bicycle, which is operating  
5 lawfully, proceeding in the same direction shall, when space  
6 allows, maintain at least a three (3) foot separation between  
7 the right side of the driver's motor vehicle, including all  
8 mirrors and other projections from the motor vehicle, and the  
9 bicycle or electric bicycle.

10

11           **31-5-702. General rights and duties of riders.**

12

13 Every person propelling a vehicle by human power or riding a  
14 bicycle or electric bicycle has all of the rights and all of  
15 the duties applicable to the driver of any vehicle under this  
16 act, except as to special regulations in this act and except  
17 as to those provisions which by their nature can have no  
18 application.

19

20           **31-5-901. General requirements; applicability of**  
21 **provisions.**

22

1           (c) The provisions of W.S. 31-5-901 through 31-5-970  
2 and regulations of the superintendent with respect to  
3 equipment required on vehicles shall not apply to vehicles  
4 moved solely by human power, motorcycles, autocycles,  
5 motor-driven cycles, mopeds, electric bicycles, multipurpose  
6 vehicles, implements of husbandry, highway construction  
7 machinery or farm tractors except as specifically made  
8 applicable.

9

10           **Section 3.** This act is effective July 1, 2019.

11

12

(END)