



OHIO LEGISLATIVE SERVICE COMMISSION

Final Analysis

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Am. Sub. H.B. 250 132nd General Assembly (As Passed by the General Assembly)

- Reps.** Brinkman, Becker, Seitz, Blessing, Green, Greenspan, Householder, Hughes, T. Johnson, Anielski, Antonio, Ashford, Barnes, Boccieri, Boggs, Boyd, Brown, Celebrezze, Craig, Dever, Galonski, Holmes, Hoops, Howse, Landis, LaTourette, Leland, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Patton, Ramos, Riedel, Rogers, Sheehy, Stein, Strahorn, West, Wiggam, Young
- Sens.** LaRose, Brown, Tavares, Uecker, Hackett, Kunze, McColley, O'Brien, Sykes, Wilson, Yuko

Effective date: March 8, 2019

ACT SUMMARY

- Categorizes electric bicycles into three distinct classes based on the assistance provided by the electric motor and the electric bicycle's top speed.
- Establishes electric bicycle equipment requirements based on federal requirements and the class of the electric bicycle.
- Permits class 1 and class 2 electric bicycles on bicycle-only and shared-use paths, unless prohibited by the local authority in control of the path.
- Prohibits class 3 electric bicycles on bicycle-only and shared-use paths, unless either the path is within or adjacent to a highway, or the local authority in control of the path permits them.
- Requires electric bicycle manufacturers and distributors to affix a label on each electric bicycle that specifies its class, top assisted speed, and motor wattage.
- Requires an electric bicycle operator to follow all traffic and equipment laws that apply to bicycles.

* This version updates the effective date.

- Generally prohibits the operation of an electric bicycle on natural surface paths and trails that have been historically reserved for nonmotorized use.

CONTENT AND OPERATION

Background

An electric bicycle is a bicycle that has an electric motor that aids propulsion. Under prior law, electric bicycles did not meet the definition of a motor vehicle or a bicycle. As such, it was unclear whether electric bicycle operators were required to follow the traffic laws that apply to motor vehicles or to bicycles. The act classifies electric bicycles and specifies the traffic and equipment laws that apply to them, including many requirements that currently apply to regular bicycles.

Electric bicycle classifications

The act categorizes electric bicycles into three classes. All electric bicycles must be equipped with fully operable pedals and electric motors that are less than 750 watts.

A "class 1" electric bicycle motor provides assistance only when the rider is pedaling and only until the bicycle reaches 20 miles per hour.

A "class 2" electric bicycle motor provides assistance whether or not the rider is pedaling, and is not capable of providing assistance after the bicycle reaches 20 miles per hour.

A "class 3" electric bicycle motor provides assistance only when the rider is pedaling and only until the bicycle reaches 28 miles per hour.¹

These classifications affect the equipment requirements and rules that govern where the electric bicycles may be ridden, which are discussed below. Further, the law governing motor vehicle insurance does not apply to electric bicycles.²

Equipment requirements

Starting January 1, 2020, electric bicycle manufacturers and distributors must permanently affix a label, in a prominent location, on each electric bicycle. The label must specify:

¹ R.C. 4511.01(RRR), (SSS), (TTT), and (UUU).

² For purposes of the Motor Vehicle, Financial Responsibility, and Traffic Laws, electric bicycles are considered vehicles, but not motor vehicles, and are distinct from motorized bicycles. R.C. 4501.01(B) and (L); 4509.01(I); and 4511.01(A), (B), and (H).



- The top assisted speed that the electric bicycle is capable of reaching;
- The motor wattage; and
- Whether the electric bicycle is class 1, 2, or 3.³

No person may change the top assisted speed of an electric bicycle unless the person also modifies the label to reflect the change.⁴

Manufacturers must ensure that each electric bicycle complies with the federal equipment and manufacturing requirements established by the Consumer Product Safety Commission. Manufacturers must manufacture electric bicycles in accordance with the following:

--For class 1 electric bicycles: when the rider stops pedaling, the electric motor must stop providing assistance.

--For class 2 electric bicycles: when the rider applies the brakes or releases or activates a switch or similar mechanism, the electric motor must stop providing assistance.

--For class 3 electric bicycles: when the rider stops pedaling, the electric motor must stop providing assistance; the bicycle must have a speedometer.⁵

Operational requirements

Electric bicycles are subject to many of the same laws as regular bicycles (see "**General rules governing bicycle operation**" below). However, there are additional requirements based on the class of electric bicycle.

A class 1 or class 2 electric bicycle is permitted on a bicycle-only or shared-use path, unless the political entity that controls the path prohibits their use on the path.⁶ A class 3 electric bicycle, in contrast, is not permitted on a bicycle-only or shared-use path,

³ R.C. 4511.522(A)(1).

⁴ R.C. 4511.522(A)(2).

⁵ R.C. 4511.522(B). See 16 C.F.R. 1512 *et seq.*

⁶ "Shared-use path" does not include a trail that is intended primarily for mountain biking, hiking, equestrian use, or other similar uses, or a single track or other natural surface trail that has been historically reserved for nonmotorized use. R.C. 4511.01(PPP).



unless either the path is within or adjacent to a highway, or the political entity that controls the path permits them on the path.⁷

A person may not operate any electric bicycle on a path that is intended primarily for mountain biking, hiking, equestrian use, or other similar uses. Nor may a person operate any electric bicycle on a single track or other natural surface trail that has been historically reserved for nonmotorized use, unless the local authority or state agency that controls the path allows them on the path.⁸

Additional restrictions apply to class 3 electric bicycle operators. First, the operator must be at least 16 years old. (There is no age restriction on passengers.) Second, all operators and passengers must wear a protective helmet that meets the Consumer Product Safety Commission or the American Society for Testing and Materials standards.⁹

Penalties

Failure to follow electric bicycle operational requirements is a minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to one additional predicate motor vehicle or traffic offense, the offender is guilty of a 4th degree misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more predicate motor vehicle offenses, the offender is guilty of a 3rd degree misdemeanor. In any instance, the offense is considered a strict liability offense.¹⁰

General rules governing bicycle operation

Many requirements and restrictions that apply to regular bicycles now apply to electric bicycles. General descriptions of those laws, with the inclusion of electric bicycles as amended by the act, are provided below:

--R.C. 4511.051 – Prohibits the use of an electric bicycle on a freeway;

--R.C. 4511.132 – If a traffic control device at an intersection fails to detect an electric bicycle and the operator takes specified precautions, permits an electric bicycle operator to proceed through the intersection;

⁷ R.C. 4511.01(PPP) and 4511.522(C).

⁸ R.C. 4511.522(C).

⁹ R.C. 4511.522(D).

¹⁰ R.C. 4511.522(E).



--R.C. 4511.27 – Requires a motor vehicle or trackless trolley to pass at a distance of three feet or more when overtaking an electric bicycle;

--R.C. 4511.39 – Requires an electric bicycle operator to give an appropriate turn signal at least once when not in a designated turn lane, provided the operator's hands are not needed for safe operation of the electric bicycle;

--R.C. 4511.40 – Describes the appropriate hand and arm turn signals;

--R.C. 4511.52 – Applies traffic and equipment laws to an electric bicycle when it is operated on any highway or path set aside for the exclusive use of bicycles; the operator may be issued a ticket, citation, or summons for a violation;

--R.C. 4511.53 – Requires a firmly attached and regular seat for an operator and passengers, the operator to keep at least one hand on the handlebars, and an appropriate number of passengers;

--R.C. 4511.54 – Prohibits attaching the electric bicycle to a streetcar, trackless trolley, or vehicle on the roadway or while the streetcar, trackless trolley, or vehicle is moving;

--R.C. 4511.55 – Requires an electric bicycle operator to ride near the edge of the right side of the roadway when it is reasonable and safe to do so;

--R.C. 4511.56 – Requires certain equipment, such as lamps, reflectors, audible signals, and brakes during specified times of day and times of low visibility;

--R.C. 4511.68 – Permits electric bicycles to park on sidewalks when not impeding the normal flow of pedestrian traffic; and

--R.C. 4511.711 – Permits electric bicycles to drive on a sidewalk if the motor is not engaged.

HISTORY

ACTION	DATE
Introduced	05-31-17
Reported, H. Transportation & Public Safety	12-14-17
Passed House (96-0)	01-24-18
Reported, S. Transportation, Commerce & Workforce	05-24-18
Passed Senate (31-0)	09-25-18
House concurred in Senate amendments (90-0)	11-14-18

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