



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2019 Assembly Bill 132**

**Assembly Amendments 1, 2,  
and 3**

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### **2019 ASSEMBLY BILL 132**

**Current law** defines and regulates as “motor bicycles” certain bicycle-like vehicles that are capable of self-propulsion. There are two varieties of vehicles that could meet the definition of “motor bicycle.” The first variety is a bicycle<sup>1</sup> that has had a power unit attached to it that permits it to travel at a speed of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind. The second variety is a two- or three-wheeled vehicle with operational pedals capable of propulsion by the rider and an electric motor of less than 750 watts that, by itself, permits the vehicle to travel at a speed of less than 20 miles per hour with a 170-pound rider on a dry, level, hard surface with no wind. A motor bicycle is regulated in many ways like a regular bicycle except that it is treated like a motor vehicle for certain purposes, such as the requirement that its rider possess a valid operator’s license.

**2019 Assembly Bill 132** removes the second variety of vehicle from the definition of “motor bicycle,” modifies it, and places it in a new definition of “electric bicycle.” An “electric bicycle” is a bicycle with operational pedals capable of propulsion by the rider and an electric motor of less than 750 watts, and which meets one of the following classifications:

- Class 1 – a bicycle with a motor that provides assistance only when the rider is pedaling but that ceases to provide assistance when the bicycle reaches 20 miles per hour.

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<sup>1</sup> “Bicycle” is defined in current law as “every vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any 2 of which are not less than 14 inches in diameter.” [s. 340.01 (5), Stats.]

- Class 2 – a bicycle that may be powered solely by its motor, but where the motor does not provide assistance when the bicycle reaches 20 miles per hour.
- Class 3 – a bicycle with a motor that provides assistance only when the rider is pedaling but that ceases to provide assistance when the bicycle reaches 28 miles per hour.

With a few exceptions, the bill provides for the regulation and treatment of electric bicycles in the same manner as other bicycles. Among the exceptions is a requirement that a manufacturer or distributor of an electric bicycle permanently affix to it a label containing information regarding the classification of the electric bicycle, the speed at which the motor ceases to provide assistance, and the wattage of the motor. If a person modifies the electric bicycle in a way that changes the speed at which the motor ceases to provide assistance, that person must affix a revised label to the electric bicycle reflecting that new information.

### **ASSEMBLY AMENDMENT 1**

Assembly Amendment 1 requires a person to affix a revised label to an electric bicycle if that person modifies the electric bicycle in a way that changes its classification, instead of if the person modifies the electric bicycle in a way that changes the speed at which the motor ceases to provide assistance.

### **ASSEMBLY AMENDMENT 2**

Assembly Amendment 2 clarifies a provision of the bill regarding the application of bicycle safety standards of the federal Consumer Product Safety Commission to electric bicycles. The bill provides that an electric bicycle shall meet the federal standards, but the federal standards apply to a “bicycle” and not necessarily to an “electric bicycle.” The amendment therefore provides that the federal standards apply to an electric bicycle as if it was a “bicycle” within the meaning of those standards.

### **ASSEMBLY AMENDMENT 3**

Assembly Amendment 3 changes the component of the definition of “electric bicycle” regarding the wattage of the motor. The amendment changes “less than 750 watts” to “750 watts or less,” thereby including in the definition a motor of 750 watts.

### **BILL HISTORY**

Representative Rohrkaste introduced Assembly Amendments 1 and 2 on March 27, 2019. Representatives Rohrkaste and Stafsholt introduced Assembly Amendment 3 on April 22, 2019. On May 21, 2019, the Assembly Committee on Transportation recommended adoption of the three amendments, and passage of the bill, as amended, on votes of Ayes, 13; Noes, 0.

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