

2009 DRAFTING REQUEST

Bill

Received: 03/06/2009

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Gary Sherman (608) 266-7690

By/Representing: Nora Tribys

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - motor vehicles

Extra Copies:

Submit via email: YES

Requester's email: Rep.Sherman@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Low speed electric bicycles

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 03/06/2009	jdyer 03/06/2009		_____			S&L
/1			mduchek 03/06/2009	_____	cduerst 03/06/2009	mbarman 03/24/2009	

FE Sent For:

dt
intro

<END>

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/?	agary	1 3/6 jld	MD	3/6			

FE Sent For:

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Gary, Aaron

From: Tribys, Eleanora
Sent: Friday, March 06, 2009 9:09 AM
To: Gary, Aaron
Subject: RE: drafting request LRB 0718

Attachments: 09-07181.pdf

Here you go - Thanks!

Nora Tribys
Office of Rep. Gary Sherman
74th Assembly District



09-07181.pdf (16 KB)

-----Original Message-----

From: Gary, Aaron
Sent: Friday, March 06, 2009 8:57 AM
To: Tribys, Eleanora
Subject: RE: drafting request LRB 0718

Hi Nora,

Do you have a complete copy of LRB-0718? If not, I'll need authorization from Sen.Harsdorf's office before I can prepare the companion. Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Tribys, Eleanora
Sent: Thursday, March 05, 2009 1:31 PM
To: Gary, Aaron
Subject: drafting request LRB 0718

Good Afternoon,

Would you please prepare an Assembly companion to the above referenced bill relating to motor bicycles?

Thank You!

Nora Tribys
Office of Rep. Gary Sherman

Soon

-2304/1
LRB-07181
ARG jld/ph stays
RMNR

in
3/6

2009 BILL

Reger

1 AN ACT *to renumber* 340.01 (29m); *to renumber and amend* 340.01 (30); and
2 *to create* 340.01 (29m) (bm) and 340.01 (30) (b) of the statutes; **relating to:** the
3 definitions of motor bicycle and moped.

Analysis by the Legislative Reference Bureau

Under current law, a "moped" is defined to include a bicycle-type vehicle, which has fully operative pedals and an engine that is an integral part of the vehicle, that is capable of a speed of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind. A "motor bicycle" is defined as a bicycle to which a power unit not an integral part of the vehicle has been added to permit the vehicle to travel at a speed of not more than 30 miles per hour under the same conditions. Certain legal consequences follow from the classification of a vehicle as a moped or a motor bicycle. For example, a motor bicycle is exempt from the requirement of vehicle registration with the Department of Transportation (DOT), while a moped must be registered with DOT in the same manner as a motorcycle. Also, with exceptions, mopeds are generally treated similarly to motorcycles for purposes of traffic regulation and vehicle equipment requirements, while motor bicycles are generally treated similarly to bicycles. However, a person must possess a valid operator's license to operate on a highway either a moped or a motor bicycle.

This bill expands the definition of "motor bicycle" to include a two-wheeled or three-wheeled vehicle that has fully operative pedals and an electric motor of less than 750 watts and that is capable, when powered solely by the motor, of a maximum speed of less than 20 miles per hour with a 170-pound rider on a dry, level, hard

BILL

surface with no wind. This definition is similar to the definition under current federal law of “low-speed electric bicycle.” The bill also specifies that such a vehicle is not a moped.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 340.01 (29m) of the statutes is renumbered 340.01 (29m) (am).

2 **SECTION 2.** 340.01 (29m) (bm) of the statutes is created to read:

3 340.01 **(29m)** (bm) “Moped” does not include a motor bicycle.

4 **SECTION 3.** 340.01 (30) of the statutes is renumbered 340.01 (30) (intro.) and
5 amended to read:

6 340.01 **(30)** (intro.) “Motor bicycle” means ~~a~~ any of the following:

7 (a) A bicycle to which a power unit not an integral part of the vehicle has been
8 added to permit the vehicle to travel at a speed of not more than 30 miles per hour
9 with a 150-pound rider on a dry, level, hard surface with no wind and having a seat
10 for the operator.

11 **SECTION 4.** 340.01 (30) (b) of the statutes is created to read:

12 340.01 **(30)** (b) A 2-wheeled or 3-wheeled vehicle that has fully operative
13 pedals for propulsion by human power and an electric motor of less than 750 watts
14 and that is capable, when powered solely by the motor, of a maximum speed of less
15 than 20 miles per hour with a 170-pound rider on a dry, level, hard surface with no
16 wind.

17 **SECTION 5. Initial applicability.**

Basford, Sarah

From: Hoey, Joseph
Sent: Monday, March 23, 2009 5:51 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-2304/1 Topic: Low speed electric bicycles

Please Jacket LRB 09-2304/1 for the ASSEMBLY.