

2017 DRAFTING REQUEST

new

Bill

For: **Mike Rohrkaste (608) 266-5719**

Drafter: **emueller**

By: **Matt Pulda**

Secondary Drafters:

Date: **1/23/2017**

May Contact:

Same as LRB: **-5144**

Submit via email: **YES**
 Requester's email: **Rep.Rohrkaste@legis.wisconsin.gov**
 Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**
zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Electric bicycles

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 2/2/2017				
/P1	emueller 4/14/2017	anienaja 2/6/2017	mbarman 2/6/2017		State S&L
/P2	emueller 5/8/2017	anienaja 4/17/2017	mbarman 4/17/2017		State S&L
/P3	emueller 6/20/2017	anienaja 5/9/2017	mbarman 5/9/2017		State S&L
/P4	emueller	anienaja	mbarman		State

per EVM

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	8/15/2017	6/21/2017 anienaja 8/15/2017	6/21/2017 mbarman 1/2/2018	mbarman 1/2/2018	S&L State S&L

FE Sent For:

→ At
Intro.

<END>

Re-Submitted

2017 DRAFTING REQUEST

Bill

For: Eric Genrich (608) 266-0616

Drafter: emueller

By: Rep. Genrich

Secondary Drafters:

Date: 1/23/2017

May Contact:

Same as LRB:

Orig. requestor

Submit via email: YES
 Requester's email: Rep.Genrich@legis.wisconsin.gov
 Carbon copy (CC) to: eric.mueller@legis.wisconsin.gov
 zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Electric bicycles

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 2/2/2017				
/P1	emueller 4/14/2017	anienaja 2/6/2017	mbarman 2/6/2017		State S&L
/P2	emueller 5/8/2017	anienaja 4/17/2017	mbarman 4/17/2017		State S&L
/P3	emueller 6/20/2017	anienaja 5/9/2017	mbarman 5/9/2017		State S&L
/P4	emueller	anienaja	mbarman		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	8/15/2017	6/21/2017	6/21/2017		S&L
/1		anienaja 8/15/2017	dwalker 8/15/2017		State S&L

FE Sent For:

<END>

Mueller, Eric

From: Rep.Genrich
Sent: Monday, January 23, 2017 3:02 PM
To: Mueller, Eric
Cc: Peters, Steve
Subject: Fwd: e bike law
Attachments: WI E-Bike Bill - DRAFT 01192017.docx

Hi Eric - Could you draft the attached bill?

Thanks,

Eric Genrich
State Representative
90th Assembly District

----- Forwarded message -----

From: Dave Cieslewicz <dave.cieslewicz@wisconsinbikefed.org>
Date: Jan 23, 2017 14:53
Subject: e bike law
To: "Rep.Genrich" <Rep.Genrich@legis.wisconsin.gov>
Cc:

Eric,

Looking forward to talking with you on Wednesday.

One issue I'd like to discuss is a new e-bike law. Want to see if you'd be willing to get it drafted. Find a draft from People for Bikes attached.

Dave

Wisconsin E-Bike Legislation - DRAFT

340.01 Words and phrases defined. In s. 23.33 and chs. 340 to 349 and 351, the following words and phrases have the designated meanings unless a different meaning is expressly provided or the context clearly indicates a different meaning:

...

(15ph) "Electric bicycle" shall mean a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts that meets the requirements of one of the following three classifications. The electric motor or power source on an electric bicycle is not required to be an integral part of the electric bicycle.

(a) "Class 1 electric bicycle" shall mean an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

(b) "Class 2 electric bicycle" shall mean an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

(c) "Class 3 electric bicycle" shall mean an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

...

(29m)

(am) "Moped" means any of the following motor vehicles capable of speeds of not more than 30 miles per hour with a 150-pound rider on a dry, level, hard surface with no wind, excluding a tractor, a power source as an integral part of the vehicle and a seat for the operator:

1. A bicycle-type vehicle with fully operative pedals for propulsion by human power and an engine certified by the manufacturer at not more than 130 cubic centimeters or an equivalent power unit.

2. A Type 1 motorcycle with an automatic transmission and an engine certified by the manufacturer at not more than 50 cubic centimeters or an equivalent power unit.

(bm) "Moped" does not include a motor bicycle **or an electric bicycle.**

...

(30) "Motor bicycle" means any of the following:

(a) 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 with a 150-pound rider on a dry, level, hard surface with no wind and having a seat for the operator.

(b) ~~A 2-wheeled or 3-wheeled vehicle that has fully operative pedals for propulsion by human power 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 surface with no wind.~~ **"Motor bicycle" does not include an electric bicycle.**

...

(35) "Motor vehicle" means a vehicle, including a combination of 2 or more vehicles or an articulated vehicle, which is self-propelled, except a vehicle operated exclusively on a rail. "Motor vehicle" includes, without limitation, a commercial motor vehicle or a vehicle which is propelled by electric power obtained from overhead trolley wires but not operated on rails. A snowmobile, an all-terrain vehicle, a utility terrain vehicle, and an electric personal assistive mobility device shall be considered motor vehicles only for purposes made specifically applicable by statute. **"Motor vehicle" does not include an electric bicycle.**

...

(74p) "Vulnerable highway user" means any of the following:

(a) A pedestrian.

(b) A bicyclist **or operator of an electric bicycle.**

(c) An operator of a moped or motor bicycle.

(d) An operator of, or passenger on, an animal-drawn vehicle, farm tractor, farm truck tractor, farm trailer, or implement of husbandry.

(e) A person riding upon in-line skates, a horse, or a play vehicle.

(f) A law enforcement officer, traffic officer, fire fighter, or emergency medical technician, while performing his or her official duties.

(g) A person who is rendering medical or emergency assistance to another person.

341.05 When vehicles exempt from registration. A vehicle, even though operated upon a highway of this state, is exempt from registration if any of the following applies:

...

(23) The vehicle is a motor bicycle, ~~or~~ bicycle, **or electric bicycle,** except as provided in s. 349.18.

346.02 Applicability of chapter.

(4) Applicability to persons riding bicycles, **electric bicycles,** and motor bicycles.

(a) Subject to the special provisions applicable to bicycles **and electric bicycles,** every person riding a bicycle **or electric bicycle** upon a roadway or shoulder of a highway is granted all the rights and is subject to all the duties which this chapter grants or applies to the operator of a vehicle, except those provisions which by their express terms apply only to motor vehicles or which by their very nature would have no application to bicycles **or electric bicycles.** For purposes of this chapter, provisions which apply to bicycles also apply to motor bicycles, except as otherwise expressly provided.

(b) Provisions which apply to the operation of bicycles in crosswalks under ss. 346.23, 346.24, 346.37 (1) (a) 2., (c) 2. and (d) 2. and 346.38 do not apply to motor bicycles.

346.79 Special rules applicable to bicycles. Whenever a bicycle is operated upon a highway, bicycle lane or bicycle way the following rules apply:

(1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(2)

(a) Except as provided in par. (b), no bicycle may be used to carry or transport more persons at one time than the number for which it is designed.

- (b) In addition to the operator, a bicycle otherwise designed to carry only the operator may be used to carry or transport a child seated in an auxiliary child's seat or trailer designed for attachment to a bicycle if the seat or trailer is securely attached to the bicycle according to the directions of the manufacturer of the seat or trailer.
- (3) No person operating a bicycle shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handle bars.
- (4) No person riding a bicycle shall attach himself or herself or his or her bicycle to any vehicle upon a roadway.
- (5) No person may ride a moped or motor bicycle with the power unit in operation upon a bicycle way.
- (6) A person may operate a class 1 electric or class 2 electric bicycle with the motor engaged in places where bicycles are permitted to travel, including within or upon a roadway, bicycle lane, bicycle way, or bicycle path. However, the local authority having jurisdiction over a bicycle way or path may prohibit the operation of a class 1 electric bicycle or class 2 electric bicycle on that bicycle way or path.**
- (7) A person may operate a class 3 electric bicycle with the motor engaged on roadways or highways where bicycles are permitted to travel, including within or upon a bicycle lane. However, no person may ride a class 3 electric bicycle on a bicycle way or bicycle path unless it is within or adjacent to a roadway or highway, or unless the local authority having jurisdiction over the bicycle way or path permits that operation.**

346.806 Special rules applicable to electric bicycles.

- (1) Except as otherwise expressly provided, an electric bicycle or an operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, as a bicycle or the operator of a bicycle. An electric bicycle shall be considered a vehicle to the same extent as a bicycle.**
- (2) A person operating an electric bicycle is not subject to the provisions of this code relating to financial responsibility, operator's licenses, registration, or certificates of title.**
- (3) On and after January 1, 2018, manufacturers and distributors of electric bicycles shall apply a label that is permanently affixed, in a prominent location, to each electric bicycle. The label shall contain the classification number, top assisted speed, and motor wattage of the electric bicycle, and shall be printed in Arial font in at least 9-point type.**
- (4) A person shall not tamper with or modify an electric bicycle so as to change the motor-powered speed capability or engagement of an electric bicycle, unless he or she appropriately replaces the label indicating the classification required in subsection (3).**
- (5) An electric bicycle shall comply with the equipment and manufacturing requirements for bicycles adopted by the United States Consumer Product Safety Commission (16 C.F.R. part 1512).**
- (6) A class 2 electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied. A class 1 and 3 electric bicycle shall operate in a manner such that the motor is disengaged through**

a mechanism that, when the rider stops pedaling, the electric motor will disengage or cease to function.

(7) No person under the age of sixteen (16) may operate a class 3 electric bicycle. A person under the age of sixteen (16) may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.

(8) All class 3 electric bicycles must be equipped with a speedometer that displays the speed the bicycle is traveling in miles per hour.

194.01 Definitions. In this chapter, unless the context otherwise requires:

...

(7) "Motor vehicle" means any automobile, truck, trailer, semitrailer, tractor, motor bus or any self-propelled or motor driven vehicle, except a motorcycle, moped, motor bicycle, electric personal assistive mobility device, **electric bicycle**, or vehicle operated on rails.

70.111 Personal property exempted from taxation. The property described in this section is exempted from general property taxes:

(1) Jewelry, household furnishings and apparel. Personal ornaments and jewelry, family portraits, private libraries, musical instruments other than pianos, radio equipment, household furniture, equipment and furnishings, apparel, motor bicycles, bicycles, **electric bicycles**, and firearms if such items are kept for personal use by the owner and pianos if they are located in a residence.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1759/P1

EVM: amr

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA
xref
Pwf

2/6/17

gen

1 AN ACT ...; relating to: electric bicycles and providing a penalty.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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:

2 SECTION 1. 70.111 (1) of the statutes is amended to read:

3 ~~70.111 (1)~~ JEWELRY, HOUSEHOLD FURNISHINGS AND APPAREL. Personal ornaments
4 and jewelry, family portraits, private libraries, musical instruments other than
5 pianos, radio equipment, household furniture, equipment and furnishings, apparel,
6 motor bicycles, electric bicycles, bicycles, and firearms if such items are kept for
7 personal use by the owner and pianos if they are located in a residence.

History: 1971 c. 315; 1973 c. 90; 1973 c. 336 s. 36; 1975 c. 39, 224; 1977 c. 29 ss. 746, 1646 (2), (3), (4); 1977 c. 142, 273; 1979 c. 3, 199, 349; 1981 c. 20, 221; 1983 a. 27 ss. 1179 to 1179m; 1983 a. 88, 201, 243, 276; 1985 a. 29; 1987 a. 387, 399; 1989 a. 31; 1991 a. 269; 1993 a. 85; 1995 a. 27; 1997 a. 248; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 30, 105; 2005 a. 298; 2007 a. 11, 20, 42, 97; 2009 a. 2; 2013 a. 20, 144, 193; 2015 a. 55.

8 SECTION 2. 194.01 (7) of the statutes is amended to read:

1 194.01 (7) "Motor vehicle" means any automobile, truck, trailer, semitrailer,
2 tractor, motor bus, or any self-propelled or motor driven vehicle, except a motorcycle,
3 moped, motor bicycle, electric bicycle, electric personal assistive mobility device, or
4 vehicle operated on rails.

History: 1971 c. 164 s. 88; 1977 c. 29 ss. 1303, 1304, 1654 (9) (c), (f), (10) (a); 1979 c. 34, 110, 221, 355; 1981 c. 347; 1983 a. 189, 243; 1985 a. 29, 187; 1993 a. 16, 112, 490; 1997 a. 254; 2001 a. 90, 107; 2005 a. 250; 2013 a. 364; 2015 a. 16, 55; 2015 a. 135 s. 4.

5 **SECTION 3.** 340.01 (15ph) of the statutes is created to read:

6 ~~χ~~ 340.01 (15ph) (a) "Electric bicycle" means a bicycle that is equipped with fully
7 operative pedals for propulsion by human power and an electric motor of less than
8 750 watts and that meets the requirements of any of the following classifications:

9 1. Class 1 is a bicycle equipped with a motor that functions only to provide
10 assistance when the rider is pedaling and that does not provide assistance when the
11 bicycle is traveling at a speed of 20 miles per hour or more.

12 2. Class 2 is a bicycle that may be powered solely by the motor and that does
13 not power the bicycle or provide assistance when the bicycle is traveling at a speed
14 of 20 miles per hour or more.

15 3. Class 3 is a bicycle equipped with a motor that functions only to provide
16 assistance when the rider is pedaling and that does not provide assistance when the
17 bicycle is traveling at a speed of 28 miles per hour or more.

18 (b) The electric motor on an electric bicycle need not be an integral part of the
19 electric bicycle.

****NOTE: I have modified these definitions somewhat to avoid ambiguity. Please
let me know if any changes are needed.

20 **SECTION 4.** 340.01 (29m) (bm) of the statutes is amended to read:

21 ~~χ~~ 340.01 (29m) (bm) "Moped" does not include a motor bicycle or electric bicycle.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321; 2005 a. 455; 2007 a. 11; 2007 a. 20 ss. 3190m, 3190p, 3220c; 2007 a. 27;

2007 a. 33 s. 8; 2007 a. 130, 175; 2009 a. 85, 97, 100, 122, 177, 311, 320; 2011 a. 32, 73, 101, 208, 265; 2013 a. 39, 67, 83, 103, 106, 165, 253, 325, 377; 2015 a. 15, 16, 55, 73, 104, 124, 165, 196, 232, 332; s. 13.92 (1) (bm) 2.

1 **SECTION 5.** 340.01 (30) (intro.) and (a) of the statutes are consolidated,
2 renumbered 340.01 (30) and amended to read:

3 **340.01 (30) (intro.)** "Motor bicycle" means any of the following:

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

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321; 2005 a. 455; 2007 a. 11; 2007 a. 20 ss. 3190m, 3190p, 3220c; 2007 a. 27; 2007 a. 33 s. 8; 2007 a. 130, 175; 2009 a. 85, 97, 100, 122, 177, 311, 320; 2011 a. 32, 73, 101, 208, 265; 2013 a. 39, 67, 83, 103, 106, 165, 253, 325, 377; 2015 a. 15, 16, 55, 73, 104, 124, 165, 196, 232, 332; s. 13.92 (1) (bm) 2.

8 **SECTION 6.** 340.01 (30) (b) of the statutes is repealed.

9 **SECTION 7.** 340.01 (35) of the statutes is amended to read:

10 ~~340.01 (35)~~ "Motor vehicle" means a vehicle, including a combination of 2 or
11 more vehicles or an articulated vehicle, which is self-propelled, except a vehicle
12 operated exclusively on a rail. "Motor vehicle" includes, without limitation, a
13 commercial motor vehicle or a vehicle which is propelled by electric power obtained
14 from overhead trolley wires but not operated on rails. A snowmobile, an all-terrain
15 vehicle, a utility terrain vehicle, and an electric personal assistive mobility device
16 shall be considered motor vehicles only for purposes made specifically applicable by
17 statute. "Motor vehicle" does not include an electric bicycle.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979 c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321; 2005 a. 455; 2007 a. 11; 2007 a. 20 ss. 3190m, 3190p, 3220c; 2007 a. 27; 2007 a. 33 s. 8; 2007 a. 130, 175; 2009 a. 85, 97, 100, 122, 177, 311, 320; 2011 a. 32, 73, 101, 208, 265; 2013 a. 39, 67, 83, 103, 106, 165, 253, 325, 377; 2015 a. 15, 16, 55, 73, 104, 124, 165, 196, 232, 332; s. 13.92 (1) (bm) 2.

18 **SECTION 8.** 340.01 (74p) (c) of the statutes is amended to read:

19 ~~340.01 (74p)~~ (c) An operator of a moped, electric bicycle, or motor bicycle.

History: 1971 c. 100 s. 23; 1971 c. 201, 211, 233, 277, 307; 1973 c. 86, 157, 182, 185, 272, 333, 335; 1973 c. 336 s. 79; 1975 c. 25, 120, 121, 136, 192, 199, 320, 326; 1975 c. 429 ss. 2m, 2r, 3, 4, 8, 9; 1977 c. 5; 1977 c. 29 ss. 1405 to 1410, 1654 (3); 1977 c. 30 s. 5; 1977 c. 43, 55, 57, 116, 193, 272, 288, 418; 1979 c. 36, 221; 1979 c. 333 s. 5; 1979

c. 345; 1981 c. 20, 159, 329; 1983 a. 27, 78, 124, 130, 175; 1983 a. 189 ss. 249, 329 (17m), (24); 1983 a. 223, 227, 243, 270, 457, 459; 1983 a. 512 s. 8; 1983 a. 538; 1985 a. 29, 65; 1985 a. 146 s. 8; 1985 a. 165, 187, 287; 1987 a. 259, 270, 349, 399; 1989 a. 31; 1989 a. 75 s. 1; 1989 a. 102; 1989 a. 105 ss. 13 to 30, 37, 41, 42; 1989 a. 134, 170; 1991 a. 39, 239, 269, 277, 316; 1993 a. 15, 16, 63, 159, 198, 213, 246, 260, 399, 436, 490; 1995 a. 27 s. 9145 (1); 1995 a. 36, 77, 113, 138, 225, 436, 448; 1997 a. 27, 164, 252, 277; 1999 a. 9, 31, 80, 85, 109, 140; 2001 a. 10, 16, 90, 102, 105, 109; 2003 a. 30, 33, 97, 192, 320, 321; 2005 a. 455; 2007 a. 11; 2007 a. 20 ss. 3190m, 3190p, 3220c; 2007 a. 27; 2007 a. 33 s. 8; 2007 a. 130, 175; 2009 a. 85, 97, 100, 122, 177, 311, 320; 2011 a. 32, 73, 101, 208, 265; 2013 a. 39, 67, 83, 103, 106, 165, 253, 325, 377; 2015 a. 15, 16, 55, 73, 104, 124, 165, 196, 232, 332; s. 13.92 (1) (bm) 2.

1 SECTION 9. 341.05 (23) of the statutes is amended to read:

2 X 341.05 (23) The vehicle is a motor bicycle, electric bicycle, or bicycle, except as
3 provided in s. 349.18.

History: 1971 c. 207; 1973 c. 90; 1977 c. 29, 43, 418; 1983 a. 50, 180, 243, 288, 538; 1985 a. 187; 1985 a. 197 s. 7; 1987 a. 349; 1991 a. 39, 316; 1993 a. 288; 1995 a. 138, 189; 1997 a. 27, 269; 1999 a. 9, 53, 85, 186; 2003 a. 192, 237, 327; 2007 a. 11; 2009 a. 157; 2013 a. 13, 20, 377; 2015 a. 55, 232.

4 SECTION 10. 346.02 (4) (title) of the statutes is amended to read:

5 X 346.02 (4) (title) APPLICABILITY TO PERSONS RIDING BICYCLES, ELECTRIC BICYCLES,
6 AND MOTOR BICYCLES.

History: 1971 c. 125, 277; 1981 c. 390 s. 252; 1983 a. 243; 1985 a. 29, 69; 1989 a. 56 s. 259; 1989 a. 335 s. 89; 1995 a. 138; 2001 a. 90; 2009 a. 46; 2011 a. 208.

7 SECTION 11. 346.02 (4) (a) of the statutes is amended to read:

8 X 346.02 (4) (a) Subject to the special provisions applicable to bicycles, every
9 person riding a bicycle upon a roadway or shoulder of a highway is granted all the
10 rights and is subject to all the duties ~~which~~ ^{that} this chapter grants or applies to the
11 operator of a vehicle, except those provisions ~~which~~ ^{that} by their express terms apply only
12 to motor vehicles or ~~which~~ ^{that} by their very nature would have no application to bicycles.
13 For purposes of this chapter, provisions ~~which~~ ^{that} apply to bicycles also apply to electric
14 bicycles and motor bicycles, except as otherwise expressly provided.

History: 1971 c. 125, 277; 1981 c. 390 s. 252; 1983 a. 243; 1985 a. 29, 69; 1989 a. 56 s. 259; 1989 a. 335 s. 89; 1995 a. 138; 2001 a. 90; 2009 a. 46; 2011 a. 208.

15 SECTION 12. 346.79 (6) of the statutes is created to read:

16 X 346.79 (6) (a) No person may ride, with the power unit in operation, a class 3
17 electric bicycle upon a bicycle way, except upon a bicycle way that is upon or adjacent
18 to a highway or unless permitted by an ordinance enacted under s. 349.18 (4).

19 (b) A person may ride, with the power unit in operation, a class 1 or class 2
20 electric bicycle upon a bicycle way, subject to any restrictions specified in an
21 ordinance enacted under s. 349.18 (4).

****NOTE: Please review the related provision in s. 349.18 (4), as created by this draft.

* ****NOTE: As currently drafted, there is no penalty attached to a violation of s. 346.79 (6). Do you wish to provide a penalty?

1 **SECTION 13.** 346.79 (7) of the statutes is created to read:

2 ×346.79 (7) No person under the age of 16 years may operate a class 3 electric
3 bicycle.

* ****NOTE: As currently drafted, there is no penalty attached to a violation of s. 346.79 (7). Do you wish to provide a penalty?

4 **SECTION 14.** 347.02 (1) (em) of the statutes is created to read:

5 ×347.02 (1) (em) Electric bicycles.

****NOTE: "Electric bicycles" are probably covered by s. 347.489 (1) to (3) because they are bicycles. Do you want to exclude them from the provision? Clarify that they are included?

6 **SECTION 15.** 347.489 (title) of the statutes is amended to read:

7 **347.489 (title) Lamps and other equipment on bicycles, motor bicycles,**
8 **electric bicycles, and electric personal assistive mobility devices.**

9 History: 1973 c. 182, 333; 1977 c. 208; 1983 a. 243 s. 39; Stats. 1983 s. 347.489; 1995 a. 138; 2001 a. 90; 2011 a. 73.

10 **SECTION 16.** 347.489 (4) of the statutes is created to read:

11 × 347.489 (4) (a) 1. No person may operate an electric bicycle manufactured after
12 January 1, 2018, unless the manufacturer or distributor of the electric bicycle has
13 permanently affixed to the electric bicycle a label containing all of the following
14 information in Arial font of a minimum size of 9 point:

15 a. The classification number of the electric bicycle.

16 b. The speed at which the motor will cease to provide assistance or power.

17 c. The wattage of the motor equipped to the electric bicycle.

18 2. If a person modifies an electric bicycle so as to change the speed at which the
19 motor will cease to provide assistance or power, the person shall prepare and affix
to the electric bicycle a revised label satisfying the requirements of subd. 1.

****NOTE: I rephrased this requirement. If you want this provision to be a requirement of manufacturers and distributors of electric bicycles, do you want this to apply to only in-state manufacturers and distributors?

1 (b) No person may operate an electric bicycle that does not meet the
2 requirements of 16 C.F.R. part 1512.

3 (c) No person may operate an electric bicycle unless ^{the} motor of the electric bicycle
4 operates in one of the following manners:

5 1. For a class 2 electric bicycle, the motor ceases to provide assistance or power
6 when the brakes are applied.

7 2. For a class 1 electric bicycle or class 3 electric bicycle, the motor ceases to
8 provide assistance or power when the rider stops pedaling.

9 (d) No person may operate an electric bicycle unless the electric bicycle is
10 equipped with a speedometer that with reasonable accuracy registers the speed of
11 the electric bicycle in miles per hour.

****NOTE: As currently written, any violation of the provisions included at s. 347.489 (4) of this draft will be subject to a \$20 forfeiture. Please let me know if this does not reflect your intent.

****NOTE: Do you want to limit the scope of these provisions to "on a highway?"

12 **SECTION 17.** 349.18 (4) of the statutes is created to read:

13 ×349.18 (4) (a) A city, village, or town may by ordinance prohibit the operation,
14 with the power unit in operation, of class 1 and class 2 electric bicycles on bicycle
15 ways under its jurisdiction.

16 (b) A city, village, or town may by ordinance authorize the operation, with the
17 power unit in operation, of class 3 electric bicycles on bicycle ways under its
18 jurisdiction.

****NOTE: Would you like to make any change to s. 349.18 (3)?

***NOTE: I have omitted s. 346.806 (1) and (2) of the drafting instructions because these provisions appear unnecessary. Please let me know if you believe any of this material should be included in the draft.

1

(END)



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1759/P1
EVM:amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to repeal* 340.01 (30) (b); *to consolidate, renumber and amend* 340.01
2 (30) (intro.) and (a); *to amend* 70.111 (1), 194.01 (7), 340.01 (29m) (bm), 340.01
3 (35), 340.01 (74p) (c), 341.05 (23), 346.02 (4) (title), 346.02 (4) (a) and 347.489
4 (title); and *to create* 340.01 (15ph), 346.79 (6), 346.79 (7), 347.02 (1) (em),
5 347.489 (4) and 349.18 (4) of the statutes; **relating to:** electric bicycles and
6 providing a penalty.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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:

7 **SECTION 1.** 70.111 (1) of the statutes is amended to read:
8 70.111 (1) **JEWELRY, HOUSEHOLD FURNISHINGS, AND APPAREL.** Personal ornaments
9 and jewelry, family portraits, private libraries, musical instruments other than

1 pianos, radio equipment, household furniture, equipment and furnishings, apparel,
2 motor bicycles, electric bicycles, bicycles, and firearms if such items are kept for
3 personal use by the owner and pianos if they are located in a residence.

4 SECTION 2. 194.01 (7) of the statutes is amended to read:

5 194.01 (7) "Motor vehicle" means any automobile, truck, trailer, semitrailer,
6 tractor, motor bus, or any self-propelled or motor driven vehicle, except a motorcycle,
7 moped, motor bicycle, electric bicycle, electric personal assistive mobility device, or
8 vehicle operated on rails.

9 SECTION 3. 340.01 (15ph) of the statutes is created to read:

10 340.01 (15ph) (a) "Electric bicycle" means a bicycle that is equipped with fully
11 operative pedals for propulsion by human power and an electric motor of less than
12 750 watts and that meets the requirements of any of the following classifications:

13 1. Class 1 is a ^{electric bicycle} bicycle equipped with a motor that ~~functions only to provide~~ ^{only} assistance ^{when the rider is pedaling and that} ~~does not~~ ^{ceases to} provide assistance when the
14 bicycle ^{reaches the} ~~is traveling at a speed of~~ 20 miles per hour ~~or more.~~

15 2. Class 2 is a ^{electric bicycle} bicycle that may be powered solely by the motor that ~~does not~~ ^{reaches the}
16 ~~power the bicycle or provide~~ assistance when the bicycle ^{and is not capable of} ~~is traveling at a speed of~~ 20
17 miles per hour ~~or more.~~ ^{ing}

18 3. Class 3 is a ^{electric bicycle} bicycle equipped with a motor that ~~functions only to provide~~ ^{only} assistance ^{when the rider is pedaling and that} ~~does not~~ ^{ceases to} provide assistance when the
19 bicycle ^{reaches the} ~~is traveling at a speed of~~ 28 ^{miles per hour.} ~~miles per hour or more.~~

20 (b) The electric motor on an electric bicycle need not be an integral part of the
21 electric bicycle.
22
23

****NOTE: I have modified these definitions somewhat to avoid ambiguity. Please let me know if any changes are needed.
Please change as noted above.

1 **SECTION 4.** 340.01 (29m) (bm) of the statutes is amended to read:

2 340.01 (29m) (bm) "Moped" does not include a motor bicycle or electric bicycle.

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

5 340.01 (30) "Motor bicycle" means ~~any of the following: (a) A~~ a bicycle to which
6 a power unit not an integral part of the vehicle has been added to permit the vehicle
7 to travel at a speed of not more than 30 miles per hour with a 150-pound rider on a
8 dry, level, hard surface with no wind and having a seat for the operator. "Motor
9 bicycle" does not include an electric bicycle.

10 **SECTION 6.** 340.01 (30) (b) of the statutes is repealed.

11 **SECTION 7.** 340.01 (35) of the statutes is amended to read:

12 340.01 (35) "Motor vehicle" means a vehicle, including a combination of 2 or
13 more vehicles or an articulated vehicle, which is self-propelled, except a vehicle
14 operated exclusively on a rail. "Motor vehicle" includes, without limitation, a
15 commercial motor vehicle or a vehicle which is propelled by electric power obtained
16 from overhead trolley wires but not operated on rails. A snowmobile, an all-terrain
17 vehicle, a utility terrain vehicle, and an electric personal assistive mobility device
18 shall be considered motor vehicles only for purposes made specifically applicable by
19 statute. "Motor vehicle" does not include an electric bicycle.

20 **SECTION 8.** 340.01 (74p) (c) of the statutes is amended to read:

21 340.01 (74p) (c) An operator of a moped, electric bicycle, or motor bicycle.

22 **SECTION 9.** 341.05 (23) of the statutes is amended to read:

23 341.05 (23) The vehicle is a motor bicycle, electric bicycle, or bicycle, except as
24 provided in s. 349.18.

25 **SECTION 10.** 346.02 (4) (title) of the statutes is amended to read:

1 346.02 (4) (title) APPLICABILITY TO PERSONS RIDING BICYCLES, ELECTRIC BICYCLES,
2 AND MOTOR BICYCLES.

3 SECTION 11. 346.02 (4) (a) of the statutes is amended to read:

4 346.02 (4) (a) Subject to the special provisions applicable to bicycles, every
5 person riding a bicycle upon a roadway or shoulder of a highway is granted all the
6 rights and is subject to all the duties ~~which~~ that this chapter grants or applies to the
7 operator of a vehicle, except those provisions ~~which~~ that by their express terms apply
8 only to motor vehicles or ~~which~~ that by their very nature would have no application
9 to bicycles. For purposes of this chapter, provisions ~~which~~ that apply to bicycles also
10 apply to electric bicycles and motor bicycles, except as otherwise expressly provided.

11 SECTION 12. 346.79 (6) of the statutes is created to read:

12 346.79 (6) (a) No person may ride, ~~with the power unit in operation,~~ ^{or bicycle path} a class 3
13 electric bicycle upon a bicycle way, ^{or bicycle path} except upon a bicycle way ^{or bicycle path} that is upon or adjacent
14 to a highway or unless permitted by an ordinance enacted under s. 349.18 (4).

15 (b) A person may ride, with the power unit in operation, a class 1 or class 2
16 electric bicycle upon a bicycle way, ^{or bicycle path} subject to any restrictions specified in an
17 ordinance enacted under s. 349.18 (4).

****NOTE: Please review the related provision in s. 349.18 (4), as created by this draft.

****NOTE: As currently drafted, there is no penalty attached to a violation of s. *346.79 (6). Do you wish to provide a penalty? *No*

18 SECTION 13. 346.79 (7) of the statutes is created to read:

19 346.79 (7) No person under the age of 16 years may operate a class 3 electric
20 bicycle. *A person under the age of 16 may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.*

****NOTE: As currently drafted, there is no penalty attached to a violation of s. *346.79 (7). Do you wish to provide a penalty? *No.*

21 SECTION 14. 347.02 (1) (em) of the statutes is created to read:

1 2. For a class 1 electric bicycle or class 3 electric bicycle, the motor ceases to
2 provide assistance or power when the rider stops pedaling.

3 (d) No person may operate ^{a class 3} an electric bicycle unless the electric bicycle is
4 equipped with a speedometer that with reasonable accuracy registers the speed of
5 the electric bicycle in miles per hour.

****NOTE: As currently written, any violation of the provisions included at s. 347.489 (4) of this draft will be subject to a \$20 forfeiture. Please let me know if this does not reflect your intent. *OK for now.*

****NOTE: Do you want to limit the scope of these provisions to "on a highway?" *No*

6 **SECTION 17.** 349.18 (4) of the statutes is created to read:

7 349.18 (4) (a) A city, village, or town may by ordinance prohibit the operation,
8 with the power unit in operation, of class 1 and class 2 electric bicycles on bicycle
9 ^{or bicycle paths} ways under its jurisdiction.

10 (b) A city, village, or town may by ordinance authorize the operation, with the
11 power unit in operation, of class 3 electric bicycles on bicycle ^{or bicycle paths} ways under its
12 jurisdiction.

****NOTE: Would you like to make any change to s. 349.18 (3)? *No. Covered by master provision say e-bikes are subject to the same statutes as regular bicycles.*

****NOTE: I have omitted s. 346.806 (1) and (2) of the drafting instructions because these provisions appear unnecessary. Please let me know if you believe any of this material should be included in the draft.

Please include. They provide clarity.

(END)

Section 346.02 is slightly vague as to which "provisions" it is referring to.

13



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1759/PT P2
EVM:amn

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

INSERT

4/17/17

SA

regen

1 **AN ACT** *to repeal* 340.01 (30) (b); *to consolidate, renumber and amend* 340.01
2 (30) (intro.) and (a); *to amend* 70.111 (1), 194.01 (7), 340.01 (29m) (bm), 340.01
3 (35), 340.01 (74p) (c), 341.05 (23), 346.02 (4) (title), 346.02 (4) (a) and 347.489
4 (title); and *to create* 340.01 (15ph), 346.79 (6), 346.79 (7), 347.02 (1) (em),
5 347.489 (4) and 349.18 (4) of the statutes; **relating to:** electric bicycles and
6 providing a penalty.

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7 **SECTION 1.** 70.111 (1) of the statutes is amended to read:
8 70.111 (1) JEWELRY, HOUSEHOLD FURNISHINGS, AND APPAREL. Personal ornaments
9 and jewelry, family portraits, private libraries, musical instruments other than

1 pianos, radio equipment, household furniture, equipment and furnishings, apparel,
2 motor bicycles, electric bicycles, bicycles, and firearms if such items are kept for
3 personal use by the owner and pianos if they are located in a residence.

4 SECTION 2. 194.01 (7) of the statutes is amended to read:

5 194.01 (7) "Motor vehicle" means any automobile, truck, trailer, semitrailer,
6 tractor, motor bus, or any self-propelled or motor driven vehicle, except a motorcycle,
7 moped, motor bicycle, electric bicycle, electric personal assistive mobility device, or
8 vehicle operated on rails.

9 SECTION 3. 340.01 (15ph) of the statutes is created to read:

10 340.01 (15ph) (a) "Electric bicycle" means a bicycle that is equipped with fully
11 operative pedals for propulsion by human power and an electric motor of less than
12 750 watts and that meets the requirements of any of the following classifications:

13 1. Class 1 ^{electric bicycle} is ^{an electric} a bicycle equipped with a motor that functions only to provide
14 assistance ^{provides only} when the rider is pedaling and that does not ^{ceases to} provide assistance when the
15 bicycle is traveling at a speed of 20 miles per hour or more. ^{reaches the}

16 2. Class 2 ^{electric bicycle} is a bicycle that may be powered solely by the motor that does not
17 power the bicycle or provide ^{and is not capable of providing} assistance when the bicycle is traveling at a speed of 20
18 miles per hour or more. ^{reaches the}

19 3. Class 3 ^{electric bicycle} is a bicycle equipped with a motor that functions only to provide
20 assistance ^{provides only} when the rider is pedaling and that does not ^{ceases to} provide assistance when the
21 bicycle is traveling at a speed of 28 miles per hour or more. ^{reaches the}

22 (b) The electric motor on an electric bicycle need not be an integral part of the
23 electric bicycle.

****NOTE: I have modified these definitions somewhat to avoid ambiguity. Please let me know if any changes are needed.

1 **SECTION 4.** 340.01 (29m) (bm) of the statutes is amended to read:

2 340.01 **(29m)** (bm) “Moped” does not include a motor bicycle or electric bicycle.

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4 renumbered 340.01 (30) and amended to read:

5 340.01 **(30)** “Motor bicycle” means ~~any of the following:~~ (a) ~~A~~ a bicycle to which
6 a power unit not an integral part of the vehicle has been added to permit the vehicle
7 to travel at a speed of not more than 30 miles per hour with a 150-pound rider on a
8 dry, level, hard surface with no wind and having a seat for the operator. “Motor
9 bicycle” does not include an electric bicycle.

10 **SECTION 6.** 340.01 (30) (b) of the statutes is repealed.

11 **SECTION 7.** 340.01 (35) of the statutes is amended to read:

12 340.01 **(35)** “Motor vehicle” means a vehicle, including a combination of 2 or
13 more vehicles or an articulated vehicle, which is self-propelled, except a vehicle
14 operated exclusively on a rail. “Motor vehicle” includes, without limitation, a
15 commercial motor vehicle or a vehicle which is propelled by electric power obtained
16 from overhead trolley wires but not operated on rails. A snowmobile, an all-terrain
17 vehicle, a utility terrain vehicle, and an electric personal assistive mobility device
18 shall be considered motor vehicles only for purposes made specifically applicable by
19 statute. “Motor vehicle” does not include an electric bicycle.

20 **SECTION 8.** 340.01 (74p) (c) of the statutes is amended to read:

21 340.01 **(74p)** (c) An operator of a moped, electric bicycle, or motor bicycle.

22 **SECTION 9.** 341.05 (23) of the statutes is amended to read:

23 341.05 **(23)** The vehicle is a motor bicycle, electric bicycle, or bicycle, except as
24 provided in s. 349.18.

25 **SECTION 10.** 346.02 (4) (title) of the statutes is amended to read:

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2 AND MOTOR BICYCLES.

3 SECTION 11. 346.02 (4) (a) of the statutes is amended to read:

4 346.02 (4) (a) Subject to the special provisions applicable to bicycles, every
5 person riding a bicycle upon a roadway or shoulder of a highway is granted all the
6 rights and is subject to all the duties which that this chapter grants or applies to the
7 operator of a vehicle, except those provisions which that by their express terms apply
8 only to motor vehicles or which that by their very nature would have no application
9 to bicycles. For purposes of this chapter, provisions which that apply to bicycles also
10 apply to electric bicycles and motor bicycles, except as otherwise expressly provided.

11 SECTION 12. 346.79 (6) of the statutes is created to read:

* 12 346.79 (6) (a) No person may ride, with the power unit in operation, a class 3
13 electric bicycle upon a bicycle way, ^{or bicycle path} except upon a bicycle way ^{or bicycle path} that is upon or adjacent
14 to a highway or unless permitted by an ordinance enacted under s. 349.18 (4).

15 (b) A person may ride, with the power unit in operation, a class 1 or class 2
16 electric bicycle upon a bicycle way, ^{or bicycle path} subject to any restrictions specified in an
17 ordinance enacted under s. 349.18 (4).

****NOTE: Please review the related provision in s. 349.18 (4), as created by this draft.

****NOTE: As currently drafted, there is no penalty attached to a violation of s. 346.79 (6). Do you wish to provide a penalty?

18 SECTION 13. 346.79 (7) of the statutes is created to read:

* 19 346.79 (7) No person under the age of 16 years may operate a class 3 electric
20 bicycle. ^{A person under the age of 16 years may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers}

****NOTE: As currently drafted, there is no penalty attached to a violation of s. 346.79 (7). Do you wish to provide a penalty?

21 SECTION 14. 347.02 (1) (em) of the statutes is created to read:

* add to s. 346.806 after insert

INS
4-20

1 347.02 (1) (em) Electric bicycles.

****NOTE: "Electric bicycles" are probably covered by s. 347.489 (1) to (3) because they are bicycles. Do you want to exclude them from the provision? Clarify that they are included?

2 SECTION 15. 347.489 (title) of the statutes is amended to read:

3 347.489 (title) **Lamps and other equipment on bicycles, motor bicycles,**
4 **electric bicycles, and electric personal assistive mobility devices.**

5 SECTION 16. 347.489 (4) of the statutes is created to read:

6 347.489 (4) (a) 1. No person may operate an electric bicycle manufactured after

7 ^{After} January 1, 2018, unless the manufacturer or distributor of the electric bicycle has

8 ^{bicycles shall} permanently ^{affix} affixed to the electric bicycle a label containing all of the following

9 information in Arial font of a minimum size of 9 point:

10 a. The classification number of the electric bicycle.

11 b. The speed at which the motor will cease to provide assistance or power.

12 c. The wattage of the motor equipped to the electric bicycle.

13 2. If a person modifies an electric bicycle so as to change the speed at which the
14 motor will cease to provide assistance or power, the person shall prepare and affix
15 to the electric bicycle a revised label satisfying the requirements of subd. 1.

****NOTE: I rephrased this requirement. If you want this provision to be a requirement of manufacturers and distributors of electric bicycles, do you want this to apply to only in-state manufacturers and distributors?

16 (b) No person may operate an ^{An} electric bicycle ^{shall} that does not meet the
17 requirements of 16 CFR part 1512.

18 (c) No person may operate an electric bicycle unless the motor of the electric
19 bicycle ^{shall operate} operates in one of the following manners:

20 1. For a class 2 electric bicycle, the motor ceases to provide assistance or power
21 when the brakes are applied.

SA ✓
Xref ✓

**2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1759/P2ins
EVM:amn

1 INS 4-20

2

3 SECTION 1. 346.806 of the statutes is created to read:

4 ~~X~~ **346.806 Special rules applicable to electric bicycles.** (1) Except as
5 otherwise expressly provided, an electric bicycle and an operator of an electric bicycle
6 shall be afforded all the same rights and privileges, and be subject to the same duties,
7 as a bicycle or an operator of a bicycle. An electric bicycle shall be considered a vehicle
8 to the same extent as a bicycle.

under
the

9

(2) A person operating an electric bicycle is not subject to the provisions
10 341, 342, 343, or 344 relating to financial responsibility, operator's licenses,
11 registration, or certificates of title.

Mueller, Eric

From: Dave Cieslewicz <dave.cieslewicz@wisconsinbikefed.org>
Sent: Monday, May 01, 2017 4:41 PM
To: Mueller, Eric
Cc: Peters, Steve
Subject: Fwd: FW: Draft review: LRB -1759/P2

Eric,

Find attached one change to LRB 1759/P2.

If you could make that change we'll be good to go.

Thanks much.

Dave Cieslewicz
The Bike Fed

----- Forwarded message -----

From: Alex Logemann <alex@peopleforbikes.org>
Date: Fri, Apr 28, 2017 at 4:28 PM
Subject: Re: FW: Draft review: LRB -1759/P2
To: Dave Cieslewicz <dave.cieslewicz@wisconsinbikefed.org>
Cc: "Kostichka, Adam" <Adam_Kostichka@trekbikes.com>

Hi Dave,

I think this is great pending one thing. In the last section (section 16) that provides for the authority of local governments to prohibit the use of e-bikes on bicycles paths, agencies of the state are not included on the list of entities authorized to regulate (the current draft authorizes a "city, village, or town" to exercise this power). I am concerned that could be an issue for Wisconsin DNR. I am thinking it would probably be best to have them added to the list as well so we don't hit an objection down the road. I suspect they would already have this power in any event. Do you agree?

No other comments from me.

Thanks,
Alex

Alex Logemann
State + Local Policy Analyst

PeopleForBikes
P.O. Box 2359 / Boulder, CO 80306
EMAIL: alex@peopleforbikes.org
MOBILE: 720.256.3646
PeopleForBikes.org



JOIN US at the PlacesForBikes Conference, June 28-30

On Fri, Apr 21, 2017 at 12:36 PM, Dave Cieslewicz <dave.cieslewicz@wisconsinbikefed.org> wrote:
Once we have your okay, I'll take it over to Rep. Mike Rohrkaste to get his final sign off as primary author. Then we can get Mike and Rep. Genrich to send out a cosponsorship request. We'll probably need a Senate GOP primary author, but I can work on that.

Next step is for Alex to give us the go/no go on the draft.

Have a good weekend.

Dave

On Tue, Apr 18, 2017 at 2:26 PM, Peters, Steve <Steve.Peters@legis.wisconsin.gov> wrote:

Dave and Alex,

Attached is the updated draft of the e-bike legislation. Take a look and let us know if this draft completely addresses your concerns.

Thanks,

Steven Peters

Office of Representative Eric Genrich

320W State Capitol

608-266-0616

From: LRB.Legal
Sent: Monday, April 17, 2017 1:25 PM
To: Rep.Genrich <Rep.Genrich@legis.wisconsin.gov>
Subject: Draft review: LRB -1759/P2