



## 2019 ASSEMBLY BILL 132

1     **AN ACT to repeal** 340.01 (30) (b); **to consolidate, renumber and amend** 340.01  
2           (30) (intro.) and (a); **to amend** 23.335 (1) (q), 70.111 (1), 194.01 (7), 340.01 (29m)  
3           (bm), 340.01 (35), 340.01 (74p) (c), 341.05 (23), 346.02 (4) (title) and 346.02 (4)  
4           (a); and **to create** 340.01 (15ph), 346.806, 347.02 (1) (em), 347.489 (3m) and  
5           349.18 (4) of the statutes; **relating to:** electric bicycles and providing a penalty.

---

*Analysis by the Legislative Reference Bureau*

---

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

6           **SECTION 1.** 23.335 (1) (q) of the statutes is amended to read:  
7           23.335 (1) (q) “Off-highway motorcycle” means a 2-wheeled motor vehicle that  
8           is straddled by the operator, that is equipped with handlebars, and that is designed  
9           for use off a highway, regardless of whether it is also designed for use on a highway.  
10          “Off-highway motorcycle” does not include an electric bicycle, as defined under s.  
11          340.01 (15ph).

**ASSEMBLY BILL 132****SECTION 2**

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

2           70.111 (1) **JEWELRY, HOUSEHOLD FURNISHINGS, AND APPAREL.** Personal ornaments  
3 and jewelry, family portraits, private libraries, musical instruments other than  
4 pianos, radio equipment, household furniture, equipment and furnishings, apparel,  
5 motor bicycles, electric bicycles, bicycles, and firearms if such items are kept for  
6 personal use by the owner and pianos if they are located in a residence.

7           **SECTION 3.** 194.01 (7) of the statutes, as affected by 2019 Wisconsin Act 11, is  
8 amended to read:

9           194.01 (7) “Motor vehicle” means any automobile, truck, trailer, semitrailer,  
10 tractor, motor bus, or any self-propelled or motor driven vehicle, except a motorcycle,  
11 moped, motor bicycle, electric bicycle, electric scooter, electric personal assistive  
12 mobility device, personal delivery device, or vehicle operated on rails.

13           **SECTION 4.** 340.01 (15ph) of the statutes is created to read:

14           340.01 (15ph) “Electric bicycle” means a bicycle that is equipped with fully  
15 operative pedals for propulsion by human power and an electric motor of 750 watts  
16 or less and that meets the requirements of any of the following classifications:

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

20           (b) Class 2 electric bicycle is an electric bicycle that may be powered solely by  
21 the motor and is not capable of providing assistance when the bicycle reaches the  
22 speed of 20 miles per hour.

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

**ASSEMBLY BILL 132**

1           **SECTION 5.** 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 6.** 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 that is not an integral part of the vehicle has been added to permit the  
7           vehicle to travel at a speed of not more than 30 miles per hour with a 150-pound rider  
8           on a 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 7.** 340.01 (30) (b) of the statutes is repealed.

11          **SECTION 8.** 340.01 (35) of the statutes, as affected by 2019 Wisconsin Act 11,  
12          is amended to read:

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

21          **SECTION 9.** 340.01 (74p) (c) of the statutes, as affected by 2019 Wisconsin Act  
22          11, is amended to read:

23          340.01 (**74p**) (c) An operator of a moped, electric scooter, electric bicycle, or  
24          motor bicycle.

25          **SECTION 10.** 341.05 (23) of the statutes is amended to read:

**ASSEMBLY BILL 132****SECTION 10**

1           341.05 **(23)** The vehicle is a motor bicycle, electric bicycle, or bicycle, except as  
2 provided in s. 349.18.

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

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

6           **SECTION 12.** 346.02 (4) (a) of the statutes is amended to read:

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

14           **SECTION 13.** 346.806 of the statutes is created to read:

15           **346.806 Special rules applicable to electric bicycles.** **(1)** Except as  
16 otherwise expressly provided, an electric bicycle and an operator of an electric bicycle  
17 shall be afforded all the same rights and privileges, and be subject to the same duties,  
18 provided in chs. 340 to 351 as a bicycle or an operator of a bicycle. An electric bicycle  
19 shall be considered a vehicle to the same extent as a bicycle.

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

23           **(3)** (a) A person may ride, with the power unit in operation, an electric bicycle  
24 upon a bikeway, as defined under s. 84.60 (1) (a), under the jurisdiction of the  
25 department of natural resources, subject to any restrictions specified in a rule

**ASSEMBLY BILL 132**

1 promulgated by the department of natural resources under s. 349.18 (4) (b), or under  
2 the jurisdiction of a municipality or county, subject to any restrictions specified in an  
3 ordinance enacted under s. 349.18 (4) (a).

4 (b) A person may ride, with the power unit in operation, an electric bicycle upon  
5 a bikeway, as defined under s. 84.60 (1) (a), under the jurisdiction of the department,  
6 subject to any restrictions specified in a rule promulgated by the department.

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

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

11 347.02 (1) (em) Electric bicycles.

12 **SECTION 15.** 347.489 (3m) of the statutes is created to read:

13 347.489 (3m) (a) 1. After January 1, 2018, a manufacturer or distributor of  
14 electric bicycles shall permanently affix to the electric bicycle a label containing all  
15 of the following information in Arial font of a minimum size of 9 point:

16 a. The classification number of the electric bicycle.

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

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

19 2. If a person modifies an electric bicycle so as to change the classification of  
20 the electric bicycle, the person shall prepare and affix to the electric bicycle a revised  
21 label satisfying the requirements of subd. 1.

22 (b) An electric bicycle shall meet the requirements of 16 CFR Part 1512, as if  
23 the electric bicycle were a bicycle as defined under 16 CFR 1512.2 (a).

