
Wisconsin Legislative Council

ACT MEMO



Prepared by: Ethan Lauer, Staff Attorney

November 25, 2019

2019 Wisconsin Act 34 [2019 Assembly Bill 132]

Electric Bicycles

CURRENT LAW

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 bicycle¹ 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 treated like a motor vehicle for certain purposes, such as the requirement that its rider possess a valid operator’s license.

2019 WISCONSIN ACT 34

2019 Wisconsin Act 34 removes the second variety of vehicle from the definition of “motor bicycle,” modifies it, and places it in a new definition of “electric bicycle.”

The act defines “electric bicycle” as a bicycle with operational pedals capable of propulsion by the rider and an electric motor of 750 watts or less, 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.
- 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 act provides for the regulation and treatment of an electric bicycle in the same manner as any other bicycle, including that its rider need not possess a valid operator’s license. 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 an electric bicycle in a way that changes its classification, that person must affix a revised label reflecting the new information.

The act contains the following provisions regarding the safety of electric bicycles: (1) a requirement that an electric bicycle meet the standards of the federal Consumer Product Safety Commission for bicycles;

¹ “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.]

(2) a requirement that the motor of an electric bicycle cease providing assistance or power when the brakes are applied or when the rider stops pedaling; (3) a requirement that a Class 3 electric bicycle be equipped with a speedometer that with reasonable accuracy registers the speed of the electric bicycle in miles per hour; and (4) a prohibition on a person under 16 years of age operating a Class 3 electric bicycle.

The act authorizes the operation of an electric bicycle with the power unit in operation on any bikeway² under the jurisdiction of the Department of Transportation, subject to its restrictions, and on any bikeway under the jurisdiction of a county, municipality, or the Department of Natural Resources, unless such entity prohibits the operation of electric bicycles on a bikeway under its respective jurisdiction.

Effective date: November 22, 2019

EL:mca;jal

² A “bikeway” includes a public path or trail, a bicycle lane, or a sidewalk or portion thereof designated for the use of bicycles. [s. 84.60 (1) (a), Stats.]