

1 SB113  
2 214794-1  
3 By Senator Allen  
4 RFD: Transportation and Energy  
5 First Read: 18-JAN-22

SYNOPSIS: Under existing law, there are three classes of electric bicycles, and an individual under the age of 16 years may not operate a Class 3 electric bicycle.

This bill would provide that an individual under the age of 14 years may not operate a Class 1 or Class 2 electric bicycle.

Also under existing law, operators of a Class 3 electric bicycle are required to wear helmets.

This bill would require the operators of any class of electric bicycle to wear a helmet during the operation.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to electric bicycles; to amend Section 2 of Act 2021-134, 2021 Regular Session, now appearing as Section

1 32-5A-267, Code of Alabama 1975, to further provide minimum  
2 age requirements for the operation of certain electric  
3 bicycles; and to require the use of helmets during the  
4 operation of electric bicycles.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 2 of Act 2021-134, 2021 Regular  
7 Session, now appearing as Section 32-5A-267, Code of Alabama  
8 1975, is amended to read as follows:

9 "§32-5A-267.

10 "(a) Except as otherwise provided in this title, an  
11 electric bicycle or an operator of an electric bicycle shall  
12 be afforded all the rights and privileges, and be subject to  
13 all of the duties, of a bicycle or the operator of a bicycle.  
14 An electric bicycle shall be deemed a vehicle to the same  
15 extent as a bicycle.

16 "(b) An electric bicycle or individual operating an  
17 electric bicycle is not subject to the requirements of this  
18 title relating to driver's licenses, registration,  
19 certificates of title, off-road vehicles, all-terrain  
20 vehicles, motor vehicle dealers, license tags or plates,  
21 financial responsibility, or motor vehicle insurance.

22 "(c) On and after January 1, 2022, manufacturers and  
23 distributors of electric bicycles shall apply a label that is  
24 permanently affixed in a prominent location to each electric  
25 bicycle. The label shall contain the classification number,  
26 top assisted speed, and motor wattage of the electric bicycle.

1 The label shall be printed in a typeface and font legible to  
2 the operator.

3 "(d) A person may not tamper with or modify an  
4 electric bicycle so as to change the motor-powered speed  
5 capability or engagement of an electric bicycle unless the  
6 label indicating the classification required under subsection  
7 (c) is replaced after modification.

8 "(e) An electric bicycle shall comply with the  
9 equipment and manufacturing requirements for bicycles adopted  
10 by the United States Consumer Product Safety Commission under  
11 16 C.F.R. Part 1512.

12 "(f) An electric bicycle shall be manufactured so  
13 that the electric motor is disengaged or otherwise ceases to  
14 propel the electric bicycle when the rider stops pedaling or  
15 when the brakes are applied.

16 "(g) An electric bicycle may be ridden in places  
17 where bicycles are allowed, including, but not limited to,  
18 streets, roadways, highways, shoulders, bicycle lanes, and  
19 bicycle or multi-use paths.

20 "(h) (1) Following notice and a public hearing, a  
21 county, municipality, or other political subdivision of the  
22 state that has jurisdiction over a bicycle or multi-use path  
23 may do both of the following:

24 "a. Prohibit the operation of Class 1 or Class 2  
25 electric bicycles on bicycle or multi-use paths if the entity  
26 finds that the prohibition is needed for safety reasons or  
27 compliance with other laws or legal obligations.

1            "b. Prohibit the operation of Class 3 electric  
2 bicycles on bicycle or multi-use paths.

3            "(2) This subsection does not apply to a trail that  
4 is specifically designated as non-motorized and that has a  
5 natural surface tread that is made by clearing and grading the  
6 native soil with no added surface materials.

7            "(i) (1) An individual under the age of 16 years may  
8 not operate a Class 3 electric bicycle. An individual under  
9 the age of 16 years may ride as a passenger on a Class 3  
10 electric bicycle if the bicycle is designed to accommodate  
11 passengers.

12            "(2) An individual under the age of 14 years may not  
13 operate a Class 1 or Class 2 electric bicycle.

14            "(j) All operators and passengers of Class 1, Class  
15 2, and Class 3 electric bicycles shall wear a properly fitted  
16 and fastened protective bicycle helmet that meets the  
17 standards provided by either the United States Consumer  
18 Product Safety Commission or the American Society for Testing  
19 and Materials, or standards subsequently established by those  
20 entities. A violation of this subsection is not admissible as  
21 evidence of negligence or negligence per se in any action.

22            "(k) All Class 3 electric bicycles shall be equipped  
23 with a speedometer that displays the speed the bicycle is  
24 traveling in miles per hour."

25            Section 2. This act shall become effective  
26 immediately following its passage and approval by the  
27 Governor, or its otherwise becoming law.

