

HOUSE No. 4676

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 11, 2022.

The committee on Transportation to whom was referred the petition (accompanied by bill, House, No. 3457) of Dylan A. Fernandes, Steven C. Owens and others relative to electric bicycles, reports recommending that the accompanying bill (House, No. 4676) ought to pass.

For the committee,

WILLIAM M. STRAUS.

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**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to electric bicycles.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of Chapter 90 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting after the definition of “Department” the
3 following definition:-

4 “Electric bicycle”, a bicycle or tricycle equipped with fully operable pedals and an
5 electric motor of 750 watts or less that meets the requirements of one of the following two
6 classes:

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

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

13 SECTION 2. Said section 1 of said chapter 90, as so appearing, is hereby further
14 amended by inserting, in line 270, after the word “hour.” the following sentence:- The definition
15 of “motorized bicycle” shall not include an electric bicycle.

16 SECTION 3. Said section 1 of said chapter 90, as so appearing, is hereby further
17 amended by inserting, in line 275, after the word “motorcycle” the following words:- “, electric
18 bicycle”.

19 SECTION 4. Said section 1 of said chapter 90, as so appearing, is hereby further
20 amended by inserting, in line 293, after the word “include” the following words:- electric
21 bicycles or.

22 SECTION 5. Section 1 of Chapter 90D of the General Laws, as appearing in the 2020
23 Official Edition, is hereby amended by inserting, in line 25, after the word “include” the
24 following words:- electric bicycles or.

25 SECTION 6. Chapter 85 of the General Laws, as appearing in the 2020 Official Edition,
26 is hereby amended by inserting after section 11B1/2 the following section:-

27 Section 11B3/4. (a) For the purposes of this section, the terms “electric bicycle,” “class 1
28 electric bicycle,” and “class 2 electric bicycle,” shall have the same definitions as in section 1 of
29 chapter 90. The terms “bike path,” “bike lane,” and “bike route” shall have the same definitions
30 as in section 1 of chapter 90E.

31 (b) Except as otherwise provided in this section, an electric bicycle or an operator of an
32 electric bicycle shall be afforded all of the rights and privileges, and be subject to all of the

33 duties, of a bicycle or the operator of a bicycle under any general or special law, regulation or
34 local ordinance; provided, however, that electric bicycles shall not be operated on sidewalks.

35 (c) A municipality, local authority or state agency having jurisdiction over a bike path or
36 shared-use path after public notice and hearing may adopt ordinances or regulations prohibiting
37 or otherwise regulating the operation of electric bicycles on such paths, including but not limited
38 to the imposition of speed limits, all as subject to standards promulgated by the department of
39 transportation.

40 (d) An electric bicycle shall not be operated on a trail designated for nonmotorized traffic
41 if such trail has a natural surface tread made by clearing and grading the soil and no surfacing
42 materials have been added; provided, however, that a municipality, local authority or state
43 agency after public notice and hearing may adopt ordinances or regulations permitting or
44 otherwise regulating the use of electric bicycles on such a trail within its jurisdiction, including
45 but not limited to the imposition of speed limits, all as subject to standards as promulgated by the
46 department of transportation.

47 (e) Electric bicycles shall comply with the equipment and manufacturing requirements
48 for bicycles adopted by the United States Consumer Product Safety Commission established in
49 16 C.F.R. 1512.

50 (f) On and after January 1, 2023, manufacturers and distributors of electric bicycles shall
51 apply a label that is permanently affixed, in a prominent location, to each electric bicycle
52 containing the classification number, top assisted speed, and motor wattage of the electric
53 bicycle.

54 (g) A person shall not tamper with or modify an electric bicycle so as to change the
55 motor-powered speed capability or engagement of an electric bicycle, unless they appropriately
56 replace the label required by subsection (f).

57 (h) The Secretary of the Massachusetts Department of Transportation may promulgate
58 additional regulations regarding electric bicycles in the Commonwealth, including but not
59 limited to their safe operation and proper labeling. The Secretary shall submit any such proposed
60 regulations to the Clerks of the House of Representatives and Senate and to the Joint Committee
61 on Transportation at least 30 days prior to their effective date.