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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 32

01/07/2021

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The bill was read for the first time and referred to the Committee on Transportation Finance and Policy

1.1 A bill for an act

1.2 relating to transportation; modifying classification and regulation of electric-assisted

1.3 bicycles; amending Minnesota Statutes 2020, sections 84.787, subdivision 7;

1.4 84.797, subdivision 7; 84.92, subdivision 8; 168.002, subdivision 18; 169.011,

1.5 subdivisions 27, 42, by adding subdivisions; 169.222, subdivisions 4, 6a, by adding

1.6 a subdivision.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2020, section 84.787, subdivision 7, is amended to read:

1.9 Subd. 7. **Off-highway motorcycle.** (a) "Off-highway motorcycle" means a motorized,

1.10 off-highway vehicle traveling on two wheels and having a seat or saddle designed to be

1.11 straddled by the operator and handlebars for steering control, including a vehicle that is

1.12 registered under chapter 168 for highway use if it is also used for off-highway operation on

1.13 trails or unimproved terrain.

1.14 (b) Off-highway motorcycle does not include an electric-assisted bicycle as defined in

1.15 section 169.011, subdivision 27.

1.16 Sec. 2. Minnesota Statutes 2020, section 84.797, subdivision 7, is amended to read:

1.17 Subd. 7. **Off-road vehicle.** (a) "Off-road vehicle" or "vehicle" means a motor-driven

1.18 recreational vehicle capable of cross-country travel on natural terrain without benefit of a

1.19 road or trail.

1.20 (b) Off-road vehicle does not include a snowmobile; an all-terrain vehicle; a motorcycle;

1.21 an electric-assisted bicycle as defined in section 169.011, subdivision 27; a watercraft; a

1.22 farm vehicle being used for farming; a vehicle used for military, fire, emergency, or law

1.23 enforcement purposes; a construction or logging vehicle used in the performance of its

2.1 common function; a motor vehicle owned by or operated under contract with a utility,
 2.2 whether publicly or privately owned, when used for work on utilities; a commercial vehicle
 2.3 being used for its intended purpose; snow-grooming equipment when used for its intended
 2.4 purpose; or an aircraft.

2.5 Sec. 3. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

2.6 Subd. 8. **All-terrain vehicle or vehicle.** (a) "All-terrain vehicle" or "vehicle" means a
 2.7 motorized vehicle with: (1) not less than three, but not more than six low pressure or
 2.8 non-pneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width
 2.9 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle
 2.10 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

2.11 (b) All-terrain vehicle does not include ~~a~~ an electric-assisted bicycle as defined in section
 2.12 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed
 2.13 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

2.14 Sec. 4. Minnesota Statutes 2020, section 168.002, subdivision 18, is amended to read:

2.15 Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed
 2.16 and originally manufactured to operate primarily on highways, and not operated exclusively
 2.17 upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle
 2.18 and includes vehicles known as trackless trolleys that are propelled by electric power obtained
 2.19 from overhead trolley wires but not operated upon rails. ~~It does not include snowmobiles,~~
 2.20 ~~manufactured homes, or park trailers.~~

2.21 (b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has
 2.22 at least four wheels, (2) is owned and operated by a physically disabled person, and (3)
 2.23 displays both disability plates and a physically disabled certificate issued under section
 2.24 169.345.

2.25 (c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle
 2.26 described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before
 2.27 August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause
 2.28 (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is
 2.29 destroyed, or fails to comply with the registration and licensing requirements of this chapter.

2.30 (d) "Motor vehicle" does not include a snowmobile; a manufactured home; a park trailer;
 2.31 an electric personal assistive mobility device as defined in section 169.011, subdivision 26;

3.1 ~~(e) "Motor vehicle" does not include~~ a motorized foot scooter as defined in section
 3.2 169.011, subdivision 46; or an electric-assisted bicycle as defined in section 169.011,
 3.3 subdivision 27.

3.4 ~~(f)~~ (e) "Motor vehicle" includes an off-highway motorcycle modified to meet the
 3.5 requirements of chapter 169 according to section 84.788, subdivision 12.

3.6 Sec. 5. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to
 3.7 read:

3.8 Subd. 15a. **Class 1 electric-assisted bicycle.** "Class 1 electric-assisted bicycle" means
 3.9 an electric-assisted bicycle equipped with an electric motor that provides assistance only
 3.10 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the
 3.11 speed of 20 miles per hour.

3.12 Sec. 6. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to
 3.13 read:

3.14 Subd. 15b. **Class 2 electric-assisted bicycle.** "Class 2 electric-assisted bicycle" means
 3.15 an electric-assisted bicycle equipped with an electric motor that is capable of propelling the
 3.16 bicycle without the rider pedaling and ceases to provide assistance when the bicycle reaches
 3.17 the speed of 20 miles per hour.

3.18 Sec. 7. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to
 3.19 read:

3.20 Subd. 15c. **Class 3 electric-assisted bicycle.** "Class 3 electric-assisted bicycle" means
 3.21 an electric-assisted bicycle equipped with an electric motor that provides assistance only
 3.22 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the
 3.23 speed of 28 miles per hour.

3.24 Sec. 8. Minnesota Statutes 2020, section 169.011, subdivision 27, is amended to read:

3.25 Subd. 27. **Electric-assisted bicycle.** "Electric-assisted bicycle" means a bicycle with
 3.26 two or three wheels that:

3.27 (1) has a saddle and fully operable pedals for human propulsion;

3.28 (2) meets the requirements:

3.29 ~~(i) of federal motor vehicle safety standards for a motor-driven cycle in Code of Federal~~
 3.30 ~~Regulations, title 49, sections 571.1 et seq.; or~~

4.1 (ii) for bicycles under Code of Federal Regulations, title 16, part 1512, or successor
 4.2 requirements; ~~and~~

4.3 (3) ~~has is equipped with~~ an electric motor that ~~(i) has a power output of not more than~~
 4.4 ~~1,000 750 watts, (ii) is incapable of propelling the vehicle at a speed of more than 20 miles~~
 4.5 ~~per hour, (iii) is incapable of further increasing the speed of the device when human power~~
 4.6 ~~alone is used to propel the vehicle at a speed of more than 20 miles per hour, and (iv)~~
 4.7 ~~disengages or ceases to function when the vehicle's brakes are applied; and~~

4.8 (4) meets the requirements of a class 1, class 2, or class 3 electric-assisted bicycle.

4.9 Sec. 9. Minnesota Statutes 2020, section 169.011, subdivision 42, is amended to read:

4.10 Subd. 42. **Motor vehicle.** (a) "Motor vehicle" means every vehicle which is self-propelled
 4.11 and every vehicle which is propelled by electric power obtained from overhead trolley wires.

4.12 (b) Motor vehicle does not include an electric-assisted bicycle; an electric personal
 4.13 assistive mobility device; or a vehicle moved solely by human power.

4.14 Sec. 10. Minnesota Statutes 2020, section 169.222, subdivision 4, is amended to read:

4.15 Subd. 4. **Riding rules.** (a) Every person operating a bicycle upon a roadway shall ride
 4.16 as close as practicable to the right-hand curb or edge of the roadway except under any of
 4.17 the following situations:

4.18 (1) when overtaking and passing another vehicle proceeding in the same direction;

4.19 (2) when preparing for a left turn at an intersection or into a private road or driveway;

4.20 (3) when reasonably necessary to avoid conditions, including fixed or moving objects,
 4.21 vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe
 4.22 to continue along the right-hand curb or edge; or

4.23 (4) when operating on the shoulder of a roadway or in a bicycle lane.

4.24 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle shall travel in the
 4.25 same direction as adjacent vehicular traffic.

4.26 (c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two
 4.27 abreast and shall not impede the normal and reasonable movement of traffic and, on a laned
 4.28 roadway, shall ride within a single lane.

4.29 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a
 4.30 crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal

5.1 when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle
 5.2 upon a sidewalk within a business district unless permitted by local authorities. Local
 5.3 authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their
 5.4 jurisdiction.

5.5 (e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe
 5.6 distance when overtaking a bicycle or individual proceeding in the same direction on the
 5.7 bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

5.8 (f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder
 5.9 on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same
 5.10 circumstances.

5.11 ~~(g) A person may operate an electric-assisted bicycle on the shoulder of a roadway, on~~
 5.12 ~~a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015, subdivision~~
 5.13 ~~1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph (b), as~~
 5.14 ~~applicable.~~

5.15 Sec. 11. Minnesota Statutes 2020, section 169.222, subdivision 6a, is amended to read:

5.16 Subd. 6a. ~~Operator age~~ **Electric-assisted bicycle; riding rules.** (a) A person may
 5.17 operate an electric-assisted bicycle in the same manner as provided for operation of other
 5.18 bicycles, including but not limited to operation on the shoulder of a roadway, a bicycle lane,
 5.19 and a bicycle route, and operation without the motor engaged on a bikeway or bicycle trail.

5.20 (b) A person may operate a class 1 or class 2 electric-assisted bicycle with the motor
 5.21 engaged on a bicycle path, bicycle trail, or shared use path unless prohibited under section
 5.22 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2,
 5.23 paragraph (b), as applicable.

5.24 (c) A person may operate a class 3 electric-assisted bicycle with the motor engaged on
 5.25 a bicycle path, bicycle trail, or shared use path unless the local authority or state agency
 5.26 having jurisdiction over the bicycle path or trail prohibits the operation.

5.27 (d) The local authority or state agency having jurisdiction over a trail that is designated
 5.28 as nonmotorized, and that has a natural surface tread made by clearing and grading the
 5.29 native soil with no added surfacing materials, may regulate the operation of an
 5.30 electric-assisted bicycle.

5.31 (e) No person under the age of 15 shall operate an electric-assisted bicycle.

6.1 Sec. 12. Minnesota Statutes 2020, section 169.222, is amended by adding a subdivision
6.2 to read:

6.3 Subd. 6b. **Electric-assisted bicycle; equipment.** (a) The manufacturer or distributor of
6.4 an electric-assisted bicycle must apply a label to the bicycle that is permanently affixed in
6.5 a prominent location. The label must contain the classification number, top assisted speed,
6.6 and motor wattage of the electric-assisted bicycle, and must be printed in a legible font with
6.7 at least 9-point type.

6.8 (b) A person must not modify an electric-assisted bicycle to change the motor-powered
6.9 speed capability or motor engagement unless the person replaces the label required in
6.10 paragraph (a) with revised information.

6.11 (c) An electric-assisted bicycle must operate in a manner so that the electric motor is
6.12 disengaged or ceases to function when the rider stops pedaling or when the brakes are
6.13 applied.

6.14 (d) A class 3 electric-assisted bicycle must be equipped with a speedometer that displays
6.15 the speed at which the bicycle is traveling in miles per hour.

6.16 **EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2022. Paragraphs (b) to (d)
6.17 are effective August 1, 2021.