

1 H.192

2 Introduced by Representative Burke of Brattleboro

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; operator's license; pedestrian and bicyclist safety;
6 vulnerable user safety; electric bicycles; electric cargo bicycles

7 Statement of purpose of bill as introduced: This bill proposes to require
8 instruction in vulnerable user safety prior to issuance of an operator's license
9 and to regulate electric cargo bicycles in the same way as electric bicycles.

10 An act relating to mandatory instruction in vulnerable user safety and
11 regulation of electric cargo bicycles

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 * * * Vulnerable User Safety * * *

14 Sec. 1. 23 V.S.A. § 631 is amended to read:

15 § 631. REQUIREMENTS; RULES

16 (a) Rules. The Commissioner may adopt rules pursuant to 3 V.S.A. chapter
17 25 governing the examination of new applicants for operator's licenses and
18 may prescribe requirements to obtain or hold a license or learner's permit, by
19 either a new or renewal applicant, as to driving experience, mental and
20 physical qualifications, and any other matter or thing that, in ~~his or her~~ the

1 Commissioner's judgment, will contribute to the selection of safe and efficient
2 operators.

3 (b) Forms translation. Any written forms, applications, or tests used by the
4 Department of Motor Vehicles for operator licensing shall be translated into
5 primary languages of nations from which individuals assisted by the U.S.
6 Committee for Refugees and Immigrants Vermont in the prior 10 years hail, as
7 determined on an annual basis by the Department in consultation with the U.S.
8 Committee for Refugees and Immigrants Vermont, and available at all
9 Department locations and on the Department's website if the English version is
10 available. Nothing in this subsection is intended to require the Department to
11 translate any educational manuals.

12 (c) Instruction in vulnerable user safety.

13 (1) The Commissioner shall require that, prior to taking the examination
14 required pursuant to section 632 of this subchapter, the applicant completes a
15 course in vulnerable user safety that has been approved by the Commissioner.

16 (2) The curriculum for the course in vulnerable user safety shall include:

17 (A) an overview of traffic laws governing a motor vehicle
18 operator's duty to exercise due care with respect to vulnerable users, including
19 a vulnerable user's needs and reduced visibility; respecting a vulnerable user's
20 right of way; and safe operation near vulnerable users;

1 subject to the purchase and use tax imposed under 32 V.S.A. chapter 219
2 rather than to a general sales tax. Electric personal assistive mobility devices,
3 motor-assisted bicycles, electric cargo bicycles, and electric bicycles are not
4 motor-driven cycles.

5 (B)(i) “Motor-assisted bicycle” means any bicycle or tricycle with
6 fully operable pedals and equipped with a motor that in itself is capable of
7 producing a top speed of not more than 20 miles per hour on a paved level
8 surface when ridden by an operator who weighs 170 pounds and either:

9 (I) has an internal combustion motor with a power output of not
10 more than 1,000 watts or 1.3 horsepower; or

11 (II) has an electric motor with a power output of not more than
12 1,000 watts and does not meet the requirements of one of the three classes in
13 subdivisions (46)(A)(i)–(iii) of this section.

14 (ii) Motor-assisted bicycles shall be regulated in accordance with
15 section 1136 of this title.

16 (iii) Electric bicycles, as defined in subdivision (46) of this
17 section, are not motor-assisted bicycles, as defined in subdivision (45) of this
18 section.

19 (C)(i) “Electric cargo bicycle” means a motor-assisted bicycle with
20 an electric motor, as defined under subdivision (B)(i) of this subdivision (45),
21 that is specifically designed and constructed for transporting loads, including

1 of goods, one or more individuals in addition to the operator, and one or more
2 animals.

3 (ii) A motor-assisted bicycle that is not specifically designed and
4 constructed for transporting loads, including a motor-assisted bicycle that is
5 only capable of transporting loads because an after-market rear or front bicycle
6 rack has been installed, is not an electric-cargo bicycle.

7 (iii) An electric cargo bicycle is not a motor vehicle and is a
8 vehicle to the same extent that a bicycle is a vehicle.

9 (iv) Notwithstanding subdivision (B)(ii) of this subdivision (45),
10 electric cargo bicycles shall be regulated in accordance with section 1136a of
11 this title.

12 Sec. 3. 23 V.S.A. § 1136a is amended to read:

13 § 1136a. ELECTRIC BICYCLES

14 (a) Except as provided in this ~~subsection~~ section, electric bicycles and
15 electric cargo bicycles shall be governed as bicycles under Vermont law, and
16 operators of electric bicycles and electric cargo bicycles shall be subject to all
17 of the rights and duties applicable to bicyclists under Vermont law.

18 (b) Electric bicycles and electric cargo bicycles and their operators shall be
19 exempt from:

