SENATE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 514 by Representative Willard

- 1 AMENDMENT NO. 1
- On page 1, line 2, delete "and (41) and 203(C)" and insert " (41), 203(C), 401(17), (19), and
 (20), 851(5), 1252(1) and (30)"
- 4 AMENDMENT NO. 2
- 5 On page 1, at the beginning of line 3, after "204" delete "through 204.4"
- 6 AMENDMENT NO. 3
- On page 1, line 7, delete "and (41) and 203(C)" and insert " (41), 203(C), 401(17), (19), and
 (20), 851(5), 1252(1) and (30)"
- 9 AMENDMENT NO. 4
- 10 On page 1, line 8, after "204" delete "through 204.4"
- 11 AMENDMENT NO. 5
- 12 On page 1, line 17, after "<u>32:1(95)</u>," insert "<u>having a saddle or seat for each rider, and</u>"
- 13 AMENDMENT NO. 6
- 14 On page 2, line 6, before "<u>electric-assisted</u>" insert "<u>an</u>"
- 15 <u>AMENDMENT NO. 7</u>
- 16 On page 2, line 20, after "may ride," insert "having a saddle or seat for each rider, and"
- 17 AMENDMENT NO. 8
- 18 On page 2, at the end of line 21, after "or, three wheels, any" insert "one"
- 19 AMENDMENT NO. 9
- On page 3, line 18, after "<u>§204.</u>" delete "<u>Rights</u>" and insert "<u>Riding on electric-assisted</u>
 <u>bicycles; rights</u>"
- 22 AMENDMENT NO. 10
- 23 On page 3, at the beginning of line 19, before "Except" insert "A."
- 24 AMENDMENT NO. 11
- 25 On page 3, delete line 24
- 26 AMENDMENT NO. 12
- 27 On page 3, at the beginning of line 25, change "<u>A.</u>" to "<u>B.</u>"
- 28 AMENDMENT NO. 13
- 29 On page 4, at the beginning of line 1, change "<u>B.</u>" to "<u>C.</u>"

Page 1 of 4 This set of amendment(s) was prepared by Xavier Alexander.

1 AMENDMENT NO. 14

2 On page 4, between lines 3 and 4, insert the following:

3 "D. An electric-assisted bicycle shall comply with the equipment and manufacturing
 4 requirement for bicycles adopted by the United States Consumer Product Safety
 5 Commission (16 CFR Part 1512).

<u>E. An electric-assisted bicycle shall operate in a manner so that the electric motor is</u>
 <u>disengaged or ceases to function when the rider stops pedaling or when the brakes are</u>
 applied.

9 F. Except as otherwise provided by this Subsection, electric-assisted bicycle may be 10 ridden in places where bicycles are allowed, including but not limited to streets, highways,

- 11 roadways, bicycle facilities, bicycle lanes, shared use trails, bicycle paths, or trails."
- 12 AMENDMENT NO. 15
- 13 On page 4, delete line 4
- 14 AMENDMENT NO. 16
- 15 On page 4, delete lines 5 through 13 and insert the following:

"(1) Following notice and public hearing, a local municipal authority, local parish
 authority, or state agency having jurisdiction over a shared-use trail or bicycle path or trail
 may prohibit the operation of Class one or Class two electric-assisted bicycles on such path
 or trail, if it finds that such a restriction is necessary for safety reasons or compliance with
 other laws or legal obligations.
 (2) A local municipal authority, local parish authority, or state agency having
 jurisdiction over a shared-use trail or bicycle path or trail may prohibit the operation of Class

three electric-assisted bicycles on such path or trail.
 (3) This Subsection shall not apply to a trail that is specifically designated as nonmotorized and that has a natural surface tread that is made by clearing and grading the

native soil with no added surface materials. A local municipal authority, local parish
 authority, or state agency having jurisdiction over a trail described in this Subsection may
 regulate the use of an electric-assisted bicycle on that trail."

- 29 AMENDMENT NO. 17
- 30 On page 4, delete line 14
- 31 AMENDMENT NO. 18
- 32 On page 4, at the beginning of line 15, change "<u>A.</u>" to "<u>G.</u>" and on line 15, change "<u>sixteen</u>"
- 33 to "<u>twelve</u>" and on line 16 change "<u>sixteen</u>" to "<u>twelve</u>"
- 34 AMENDMENT NO. 19
- 35 On page 4, at the beginning of line 18, change "<u>B.</u>" to "<u>H.</u>"
- 36 AMENDMENT NO. 20
- 37 On page 4, delete lines 19 through 23, and insert the following:
- 38 "shall wear an approved bicycle helmet.
- 39 (1) For the purpose of this Subsection, "approved helmet" shall have the same 40 meaning as provided in R.S. 32:199.

41 (2) The issuance of a citation for a violation of this Section shall not be prima facie

42 evidence of negligence. The comparable negligence statutes of Louisiana shall apply in these

43 <u>cases as in all other cases of negligence.</u>

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1	(3) The provisions of R.S. 32:57 shall not apply to a violation of this Section. Any
2	person who violates any provision of this Section shall upon conviction be fined fifty dollars,
3	which shall include all costs of court. Notwithstanding any contrary provision of law, no
4	other cost or fee shall be assessed against any person for a violation of this Section. This fine
5	shall be waived if the operator of the Class three electric-assisted bicycle provides proof of
6	purchasing an approved helmet."
7	AMENDMENT NO. 21
8	On page 4, at the beginning of line 24, before " <u>All</u> " insert " <u>I.</u> "
9	AMENDMENT NO. 22
10	On page 4, after line 25, insert the following:
11	"§401. Definitions
12	The following words and phrases when used in this Chapter shall have the meaning
13	assigned to them in this Section unless the context clearly indicates otherwise:
14	* * *
15	(17) "Motorcycle" means every motor vehicle having a seat or saddle for the use of
16	the rider and designed to travel on not more than three wheels in contact with the ground,
17	but excluding a tractor and <u>an electric-assisted bicycle or</u> a motorized bicycle.
10	* * *
18	
19	(19) "Motorized bicycle" means a pedal bicycle which may be propelled by human
20	power or helper motor, or by both, with a motor rated no more than one and one-half
21	horsepower, a cylinder capacity not exceeding fifty cubic centimeters, an automatic
22	transmission, and which produces a maximum design speed of no more than twenty-five
23	miles per hour on a flat surface, but excluding an electric-assisted bicycle.
24	(20) "Motor vehicle" means and includes automobiles, trucks, truck-tractors, trailers,
25	semitrailers, and motorcycles, propelled by steam, gasoline, electricity, or any other source
26	of energy other than muscular power, except electric-assisted bicycles, farm implements
27	temporarily operated or moved on a highway or vehicles operated only on rails or tracks
28	constructed therefor.
29	* * *
30	
31	§851. Definitions
32	The following words and phrases, when used in this Chapter, shall, for the purposes
33	of this Chapter, have the meanings respectively ascribed to them in this Section, except in
34	those instances where the context clearly indicates a different meaning:
Эт	those instances where the context clearly indicates a different meaning.
35	* * *
36	(5) "Motor vehicle" means every self-propelled vehicle (except traction engines, road
37	rollers, farm tractors, <u>electric-assisted bicycles</u> , tractor cranes, power shovels, and well
38	drillers) and every vehicle which is propelled by electric power obtained from overhead
39	wires but not operated upon rails.
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40 41	§1252. Definitions
41	The following words, terms, and phrases, when used in this Chapter, shall have the
43 44	meanings respectively ascribed to them in this Section, except where the context clearly indicates a different meaning:
	6
45 46	(1) "All-terrain vehicle" shall mean any vehicle manufactured for off-road use and issued a manufacturar's statement or cartificate of origin as required by the commission that
46 47	issued a manufacturer's statement or certificate of origin, as required by the commission, that
47 19	cannot be issued a registration certificate and license to operate on the public roads of this
48	state because, at the time of manufacture, the vehicle does not meet the safety requirements prescribed by R.S. 32:1301 through 1310. This includes vehicles that are issued a title by the
49	Drescribed by K.S. 3271301 intough 1310. This includes vehicles that are issued a fitle by the
50	Department of Public Safety and Corrections, public safety services, such as recreational and

sports vehicles, but it shall not include off-road vehicles used for farm purposes, farm
 equipment, <u>electric-assisted bicycles</u>, or heavy construction equipment.

3 * * *

4 (30) "Motorcycle" means a motor vehicle having a seat or saddle for the use of the 5 rider and designed to travel on not more than three wheels in contact with the ground but 6 excluding a tractor, electric-assisted bicycle, and electric-powered scooters not required to 7 be registered.

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