The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 123 Original

2020 Regular Session

Ward

Present law (R.S. 32:1) provides for definitions.

<u>Proposed law</u> retains <u>present law</u> and defines electronic bicycle as a bicycle equipped with fully operable pedals, seat and electrical motor of less than 700 watts.

Proposed law provides for classification of electric bicycles:

- (1) Class 1 electric bicycle is equipped with a motor that provides assistance only when rider is pedaling and no longer provides assistance up to 20 mph.
- (2) Class 2 electric bicycle is equipped with a motor that can propel the bicycle without pedaling, and the motor is not capable of providing assistance when the bicycle reaches 20 mph.
- (3) Class 3 electric bicycle is equipped with a motor that provides assistance only when the rider is pedaling, and that no longer provides assistance when the bicycle reaches 28 mph.

Present law (R.S. 32:76.1) provides for limitations on passing bicycles.

<u>Proposed law</u> retains <u>present law</u> and provides that the same limitations shall be taking by motorist when passing electronic bicycles.

<u>Proposed law</u> provides that an operator of an electric bicycle shall be provided the same rights and privileges as the operator of a bicycle. Provides that operators of electric bicycles are not responsible for driver's license, vehicle license, license plates, registration, certificates of titles as all-terrain vehicles and off-road vehicles.

<u>Proposed law</u> provides that a manufacturer and distributor of electric bicycles shall apply a label showing the classification, top assisted speed, and motor wattage of the electronic bicycle.

<u>Proposed law</u> provides that no electronic bicycle shall be modified to change motor speed, unless a label indicates the classification is replaced. Further provides that an electronic bicycle shall comply with the United State Consumer Product Safety Commission.

<u>Proposed law</u> provides that all electronic bicycles may be ridden in places where bicycles are allowed.

<u>Proposed law</u> provides that local municipal authorities, local parish authorities, and state agencies can regulate bicycle trails or paths and restrict the use of electronic bicycles.

<u>Proposed law</u> provides that no person under the age of 16 may operate a Class 3 electric bicycle. Further provides that all operators and passengers of a Class 3 electric bicycle shall wear an approved helmet.

<u>Proposed law</u> provides for the issuance of a citation for failure to wear an approved helmet while operating a Class 3 bicycle cost associated with citation.

<u>Present law</u> (R.S. 32:201) provides that it shall be unlawful to harass, taunt, or throw objects at or in the direction of a bicycle.

<u>Proposed law</u> retains <u>present law</u> and provides that it shall be unlawful to harass, taunt, or throw an object at or in the direction of an electronic bicycle.

Present law (R.S. 32: 401) provides for definitions of motorcycle, motorized bicycle, and motor vehicle.

<u>Proposed law</u> retains <u>present law</u> and excludes electronic bicycle from the definition of motorcycle, motorized bicycle, and motor vehicle.

Present law (R.S. 32:851) provides for definition of motor vehicle.

Proposed law retains present law and excludes electric bicycle from the definition of motor vehicle.

Present law (R.S. 32:1252) provides for definitions of all-terrain vehicle and motorcycle.

<u>Proposed law</u> retains <u>present law</u> and excludes electric bicycle from the definition of all-terrain vehicle and motorcycle.

Present law (R.S. 47:301) provides for definition of off-road vehicle.

<u>Proposed law</u> retains <u>present law</u> and excludes electric bicycle from the definition of off-road vehicle.

Effective August 1, 2020.

(Amends R.S. 32.1(4.1)-(4.4), (38), (40), (41), (64.1), and (92), 76.1(B), 201(A), 401(17), (19), and (20), 851(5), 1252(1) and (30), R.S. 47:301(17); adds R.S. 32:1(17.1) and 195.1)