

2024 -- S 2829 SUBSTITUTE A

LC005598/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- ELECTRIC BICYCLES

Introduced By: Senator Dawn M. Euer

Date Introduced: March 22, 2024

Referred To: Senate Judiciary

(Dept. of Environmental Management)

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 31 of the General Laws entitled "MOTOR AND OTHER VEHICLES"
2 is hereby amended by adding thereto the following chapter:

CHAPTER 19.7

ELECTRIC BICYCLES

31-19.7-1. Classes.

There shall be three (3) classes of electric bicycles:

7 (1) Class 1: Bicycle equipped with an electric motor that provides assistance only when the
8 rider is pedaling, and that ceases to provide assistance when the electric bicycle reaches twenty
9 miles per hour (20 mph).

10 (2) Class 2: Bicycle equipped with a throttle-actuated electric motor that ceases to provide
11 assistance when the electric bicycle reaches twenty miles per hour (20 mph).

12 (3) Class 3: Bicycle equipped with an electric motor that provides assistance only when the
13 rider is pedaling, and that ceases to provide assistance when the electric bicycle reaches twenty-
14 eight miles per hour (28 mph).

31-19.7-2. Use of electric bicycles at state properties.

16 The department of environmental management may, by regulation, determine allowable
17 uses of electric bicycles at properties under the department's jurisdiction; provided, however, that
18 Class 1 electric bicycles shall be allowable on state bicycle trails or paths as defined by § 31-1-23.

31-19.7-3. Helmets required on electric bicycle operators and passengers under age

1 **twenty-one (21).**

2 Any person under age twenty-one (21) who is operating or is a passenger on an electric
3 bicycle on a public highway, bicycle trail or path, shared use path, park and/or recreational area,
4 school property or on any other public right-of-way shall wear a helmet. The helmet shall fit the
5 person's head and shall be secured to the person's head by straps while the person is operating or is
6 a passenger on an electric bicycle. The helmet shall meet the standards for helmets established by
7 the United States Consumer Product Safety Commission (CPSC) or subsequent standards. In no
8 event shall failure to wear a helmet be considered as contributory or comparative negligence, nor
9 shall the failure to wear a helmet be admissible as evidence in the trial of any civil action.

10 SECTION 2. Sections 31-1-3 and 31-1-23 of the General Laws in Chapter 31-1 entitled
11 "Definitions and General Code Provisions" are hereby amended to read as follows:

12 **31-1-3. Types of vehicles. [Effective July 1, 2024.]**

13 (a)(1) "Antique motor car" means any motor vehicle that is more than twenty-five (25)
14 years old. Unless fully inspected and meeting inspection requirements, the vehicle may be
15 maintained solely for use in exhibitions, club activities, parades, and other functions of public
16 interest. The vehicle may also be used for limited enjoyment and purposes other than the previously
17 mentioned activities, but may not be used primarily for the transportation of passengers or goods
18 over any public highway.

19 (2) After the vehicle has met the requirements of state inspection, a registration plate may
20 be issued to it on payment of the standard fee. The vehicle may be operated on the highways of this
21 and other states, and may, in addition to the registration plate, retain the designation "antique" and
22 display an "antique plate."

23 (3) For any vehicle that is more than twenty-five (25) years old, the division of motor
24 vehicles may also issue or approve, subject to rules and regulations that may be promulgated by
25 the administrator, a "year of manufacture plate" for the vehicle that is an exact replica plate
26 designating the exact year of manufacture of the vehicle. The year of manufacture plate, as
27 authorized by this subsection, need only be attached to the rear of the vehicle.

28 (b)(1) "Antique motorcycle" means any motorcycle that is more than twenty-five (25)
29 years old. Unless fully inspected and meeting inspection requirements, the vehicle shall be
30 maintained solely for use in exhibitions, club activities, parades, and other functions of public
31 interest. The vehicle may also be used for limited enjoyment and purposes other than the previously
32 mentioned activities, but may not be used primarily for the transportation of passengers or goods
33 over any public highway; and

34 (2) After the vehicle has met the requirements of state inspection, a registration plate may

1 be issued to it, on payment of the standard fee, and the vehicle may be operated on the highways
2 of this and other states, and may, in addition to the registration plate, retain the designation
3 “antique” and display an “antique plate.”

4 (c) “Authorized emergency vehicle” means vehicles of the fire department (fire patrol);
5 police vehicles; vehicles of the department of corrections while in the performance of official
6 duties; vehicles used by the state bomb squad within the office of state fire marshal; vehicles of
7 municipal departments or public service corporations designated or authorized by the administrator
8 as ambulances and emergency vehicles; and privately owned motor vehicles of volunteer
9 firefighters or privately owned motor vehicles of volunteer ambulance drivers or attendants, as
10 authorized by the department chief or commander and permitted by the Rhode Island Association
11 of Fire Chiefs and Rhode Island Association of Police Chiefs Joint Committee for Volunteer
12 Warning Light Permits.

13 (d) “Automobile” means, for registration purposes, every motor vehicle carrying
14 passengers other than for hire.

15 (e) “Bicycle” means every vehicle having two (2) tandem wheels, except scooters and
16 similar devices, propelled exclusively by human power, and upon which a person may ride.

17 (f) “Camping recreational vehicle” means a vehicular type camping unit, certified by the
18 manufacturer as complying with ANSI A119.2 Standards, designed primarily as temporary living
19 quarters for recreation that has either its own motor power or is mounted on, or towed by, another
20 vehicle. The basic units are tent trailers, fifth-wheel trailers, motorized campers, travel trailers, and
21 pick-up campers.

22 (g) “Electric motorized bicycle” ~~means a motorized bicycle, also called an "electric~~
23 ~~bicycle", as defined in § 31-19.7-1, means a two-wheel (2) vehicle~~ that may be propelled by human
24 power or electric motor power, or by both, with an electric motor rated not more than two (2)
25 (S.A.E.) horsepower, that is capable of a maximum speed of not more than ~~twenty-five~~ twenty-
26 eight miles per hour (~~25~~ 28 m.p.h.).

27 (h) “Electric personal assistive mobility device” (“EPAMD”) is a self-balancing, non-
28 tandem two-wheeled (2) device, designed to transport only one person, with an electric propulsion
29 system that limits the maximum speed of the device to fifteen miles per hour (15 m.p.h.).

30 (i) “Fifth-wheel trailer”: A towable recreational vehicle, not exceeding four hundred (400)
31 square feet in area, designed to be towed by a motorized vehicle that contains a towing mechanism
32 that is mounted above or forward of the tow vehicle’s rear axle and that is eligible to be registered
33 for highway use.

34 (j) “Hearse” means every motor vehicle used for transporting human corpses. A hearse

1 shall be considered an automobile for registration purposes.

2 (k) “Jitney or bus” means: (1) A “public bus” that includes every motor vehicle, trailer,
3 semi-trailer, tractor trailer, or tractor trailer combination, used for the transportation of passengers
4 for hire, and operated wholly or in part upon any street or highway as a means of transportation
5 similar to that afforded by a street railway company, by indiscriminately receiving or discharging
6 passengers, or running on a regular route or over any portion of one, or between fixed termini; or
7 (2) A “private bus” that includes every motor vehicle other than a public bus or passenger van
8 designed for carrying more than ten (10) passengers and used for the transportation of persons, and
9 every motor vehicle other than a taxicab designed and used for the transportation of persons for
10 compensation.

11 (l) “Low-speed motor vehicle” or “low-speed vehicle” means a motor vehicle defined in
12 49 C.F.R. § 571.3 as a vehicle that is four (4) wheeled, whose speed attainable in one mile is more
13 than twenty miles per hour (20 m.p.h.) and not more than twenty-five miles per hour (25 m.p.h.)
14 on a paved level surface, is electric, and whose gross vehicle weight rating is less than three
15 thousand pounds (3,000 lbs.). All low-speed motor vehicles shall comply with the standards
16 established in 49 C.F.R. § 571.500, as amended, and pursuant thereto, shall be equipped with
17 headlamps, front and rear turn signal lamps, tail lamps, stop lamps, an exterior mirror mounted on
18 the driver’s side of the vehicle and either an exterior mirror mounted on the passenger’s side of the
19 vehicle or an interior mirror, a parking brake, a windshield that conforms to the federal standards
20 on glazing materials, a vehicle identification number that conforms to the requirements of 49 C.F.R.
21 pt. 565 for such numbers, a Type 1 or Type 2 seat belt assembly conforming to 49 C.F.R. § 571.209,
22 installed at each designated seating position, and reflex reflectors; provided, that one reflector is
23 red on each side as far to the rear as practicable and one reflector is red on the rear. A low-speed
24 motor vehicle that meets the requirements of 49 C.F.R. § 571.500, as amended, and is equipped as
25 herein provided, may be registered in this state, subject to inspection and insurance requirements.

26 (m) “Motorcycle” means only those motor vehicles having not more than three (3) wheels
27 in contact with the ground and a saddle on which the driver sits astride, except bicycles with helper
28 motors as defined in subsection (o) of this section.

29 (n) “Motor-driven cycle” means every motorcycle, including every motor scooter, with a
30 motor of no greater than five (5) horsepower, except bicycles with helper motors as defined in
31 subsection (o) of this section.

32 (o) “Motorized bicycles” means two-wheel (2) vehicles that may be propelled by human
33 power or helper power, or by both, with a motor rated not more than four and nine-tenths (4.9)
34 horsepower and not greater than fifty (50) cubic centimeters, that are capable of a maximum speed

1 of not more than thirty miles per hour (30 m.p.h.).

2 (p) “Motorized camper”: A camping recreational vehicle, built on, or permanently attached
3 to, a self-propelled motor vehicle chassis cab or van that is an integral part of the completed vehicle.

4 (q) “Motorized tricycles” means tricycles that may be propelled by human power or helper
5 motor, or by both, with a motor rated no more than 1.5 brake horsepower that is capable of a
6 maximum speed of not more than thirty miles per hour (30 m.p.h.).

7 (r) “Motorized wheelchair” means any self-propelled vehicle, designed for, and used by, a
8 person with a disability that is incapable of speed in excess of eight miles per hour (8 m.p.h.).

9 (s) “Motor scooter” means a motor-driven cycle with a motor rated not more than four and
10 nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters that is capable of a
11 maximum speed of not more than thirty miles per hour (30 m.p.h.).

12 (t) “Motor vehicle” means every vehicle that is self-propelled or propelled by electric
13 power obtained from overhead trolley wires, but not operated upon rails, except vehicles moved
14 exclusively by human power, an EPAMD and electric motorized bicycles as defined in subsection
15 (g) of this section, and motorized wheelchairs.

16 (u) “Motor vehicle for hire” means every motor vehicle other than jitneys, public buses,
17 hearses, and motor vehicles used chiefly in connection with the conduct of funerals, to transport
18 persons for compensation in any form, or motor vehicles rented for transporting persons either with
19 or without furnishing an operator.

20 (v) “Natural gas vehicle” means a vehicle operated by an engine fueled primarily by natural
21 gas.

22 (w) “Park trailer”: A camping recreational vehicle that is eligible to be registered for
23 highway use and meets the following criteria: (1) Built on a single chassis mounted on wheels; and
24 (2) Certified by the manufacturer as complying with ANSI A119.5.

25 (x) “Passenger van” means every motor vehicle capable of carrying ten (10) to fourteen
26 (14) passengers plus an operator and used for personal use or on a not-for-hire basis. Passenger
27 vans may be used for vanpools, transporting passengers to and from work locations, provided that
28 the operator receives no remuneration other than free use of the vehicle.

29 (y) “Pedal carriage” (also known as “quadricycles”) means a nonmotorized bicycle with
30 four (4) or more wheels operated by one or more persons for the purpose of, or capable of,
31 transporting additional passengers in seats or on a platform made a part of or otherwise attached to
32 the pedal carriage. The term shall not include a bicycle with trainer or beginner wheels affixed to
33 it, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the
34 transportation of a person with a disability, nor shall it include a tricycle built for a child or an adult

1 with a seat for only one operator and no passenger.

2 (z) “Pick-up camper”: A camping recreational vehicle consisting of a roof, floor, and sides
3 designed to be loaded onto and unloaded from the back of a pick-up truck.

4 (aa) “Rickshaw” (also known as “pedi cab”) means a nonmotorized bicycle with three (3)
5 wheels operated by one person for the purpose of, or capable of, transporting additional passengers
6 in seats or on a platform made a part of, or otherwise attached to, the rickshaw. This definition shall
7 not include a bicycle built for two (2) where the operators are seated one behind the other, nor shall
8 it include the operation of a bicycle with trainer or beginner wheels affixed thereto, nor shall it
9 include a wheelchair or other vehicle with the purpose of operation by or for the transportation of
10 a person with a disability.

11 (bb) “School bus” means every motor vehicle owned by a public or governmental agency,
12 when operated for the transportation of children to or from school; or privately owned, when
13 operated for compensation for the transportation of children to or from school.

14 (cc) “Suburban vehicle” means every motor vehicle with a convertible or interchangeable
15 body or with removable seats, usable for both passenger and delivery purposes, and including motor
16 vehicles commonly known as station or depot wagons or any vehicle into which access can be
17 gained through the rear by means of a hatch or trunk and where the rear seats can be folded down
18 to permit the carrying of articles as well as passengers.

19 (dd) “Tent trailer”: A towable recreational vehicle that is mounted on wheels and
20 constructed with collapsible partial side walls that fold for towing by another vehicle and unfold
21 for use and that is eligible to be registered for highway use.

22 (ee) “Trackless trolley coach” means every motor vehicle that is propelled by electric
23 power obtained from overhead trolley wires, but not operated on rails.

24 (ff) “Travel trailer”: A towable recreational vehicle, not exceeding three hundred twenty
25 square feet (320 sq. ft.) in area, designed to be towed by a motorized vehicle containing a towing
26 mechanism that is mounted behind the tow vehicle’s bumper and that is eligible to be registered
27 for highway use.

28 (gg) “Vehicle” means every device in, upon, or by which any person or property is or may
29 be transported or drawn upon a highway, except devices used exclusively upon stationary rails or
30 tracks.

31 **31-1-23. Types of roads.**

32 (a) “Bicycle lane” means a portion of highway right-of-way designated by the state and
33 identified by official traffic control devices (pavement markings) for the exclusive use of bicyclists.
34 The operation and parking of motor vehicles is prohibited within the lane identified for exclusive

1 use by bicyclists, except when making a turn, entering or leaving the roadway or a parking lane, or
2 when required in the course of official duty.

3 (b) “Bicycle route” means a shared right-of-way along a highway, designated by the state
4 and identified by official traffic control devices (signs) for use by bicyclists.

5 (c) “Bicycle trail or path” means a bikeway physically separated from motorized vehicular
6 traffic by an open space or barrier and either within the highway right-of-way or within an
7 independent right-of-way. Bicycle trails or paths may also be used by pedestrians, skaters, [riders](#)
8 [of Class 1 electric bicycles as defined in § 31-19.7-1](#), wheelchair users, joggers and other
9 nonmotorized users.

10 (d) “Laned roadway” means a roadway which is divided into two (2) or more clearly
11 marked lanes for vehicular traffic.

12 (e) “Limited access highway” means every highway, street, or roadway to or from which
13 owners or occupants of abutting lands and other persons have no legal right of access except at
14 those points and in that manner determined by the public authority having jurisdiction over it.

15 (f) “Local highway” means every street or highway other than a state highway, private
16 road, or driveway.

17 (g) “Private road or driveway” means every way or place in private ownership that is used
18 for vehicular travel only by the owner and by those others having express or implied permission
19 from the owner.

20 (h) “Roadway” means that portion of a highway improved, designed, or ordinarily used for
21 vehicular travel, excluding the sidewalk, berm, or shoulder even when used by persons riding
22 bicycles. In the event a highway includes two (2) or more separate roadways, “roadway” refers to
23 the roadway separately and not the roadways collectively.

24 (i) “Sidewalk” means that portion of a street between the curb lines, or the lateral lines of
25 a roadway, and the adjacent property lines intended for the use of pedestrians.

26 (j) “State highway” means every street or highway constructed and/or maintained by the
27 director of public works and the division of roads and bridges.

28 (k) “Street or highway” means the entire width between boundary lines of every way when
29 any part of it is open to the use of the public for purposes of vehicular traffic.

30 (l) “Through highway” means every highway or portion of a highway having entrances
31 from intersecting highways at which vehicular traffic is required by law to stop before entering or
32 crossing, and where stop signs are erected under the provisions of chapters 1 — 27 of this title.

1 SECTION 3. This act shall take effect on July 1, 2024.

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LC005598/SUB A
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- ELECTRIC BICYCLES

1 This act would define three (3) classes of electric bicycles, authorize the department of
2 environmental management to determine allowable uses of electric bicycles at properties under the
3 department's jurisdiction, and allow Class 1 electric bicycles to legally access state bicycle trails
4 or paths.

5 This act would take effect on July 1, 2024

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