Levels

• Federal
• State
• County
• City

Each level can be more restrictive than the one above, if the lawmakers wish.
Federal Law on Conventional Bicycles (Human Power)

• Federal law is concerned with the definition of a vehicle, and equipment requirements for safety.
• Bicycles are not governed by the united states department of transportation.
• Bicycles are regulated by the Consumer Product Safety Commission. (CPSC)
Electric Bicycles Are Not Specifically Defined by Federal Law.

- Electric Bicycles have an ambiguous position—and this is dangerous to manufacturers and distributors.
- HR 747 promises to address this problem.
Current Situation

• NHTSA (the relevant agency of the department of transportation) has chosen to regard an electric bicycle that must be pedaled for the motor to operate as being a vehicle where the majority of the power is provided by the human operator, and thus the vehicle is not a motor vehicle.
Non Conforming Mopeds

• If an electric bicycle can be operated without pedaling—NHTSA regards this vehicle as a moped—and subject to the requirements of such vehicles.

• This means that many electric bikes in the USA are actually “non-conforming mopeds” or mopeds that lack required safety equipment.
Consequences

• A vehicle that does not conform to the law may be forbidden entry into the USA by US customs.
• A non-conforming vehicle is not allowed to use the roadways.
• Any injury involving a non-conforming vehicle will result in an expensive lawsuit.
• Substantial fines are possible for the sellers of such vehicles.
State Law

• States concern themselves with how the vehicle is used, registration of the vehicle, vehicle licensing and operator licensing.

• The 50 states have at least 47 different ways of regulating these issues for electric bikes and scooters.
Local Law

- County and city law can vary widely.
- These laws must conform to federal and state laws, but may further restrict the use of a vehicle in such matters as where they can be used, speed limits, etc.
HR 727

- HR 727 is a house bill that defines an electric bicycle as having a motor of less than 750 watts, an unassisted speed of less than 20 mph, and functional pedals.
- HR 727 moves electric bikes into the governance of the CPSC and gives them the same status as a normal bicycle.
Passed March 6

• 727 passed the house on March 6, and now needs to pass the Senate and be signed by President Bush.
• Once this happens, electric bicycles will have a clear definition.
Scooter Laws

• Stand up light scooters “slip through the cracks” of most vehicular laws.
• They are not fast enough, powerful enough, heavy enough to be regarded as vehicles.
• When they have a seat, they become a motor vehicle.
Stand Up Scooters

• Only California has a specific set of regulations for these scooters.
• Some local places (including New Jersey) have banned electric scooters—but usually as a result of confusing them with gasoline powered light scooters.
Sit Down Scooters

- Motorized scooters with a seat (including electric wheelchairs) are technically non-conforming motor vehicles.
- They should not be ridden on the roadways.
- Use on private property or indoors is OK.
Future Laws

• If 727 becomes law, electric bicycles have a broad definition that the industry can work with.
• Electric scooters need such national definition.
• The trade group Electric Cycle Association is addressing this need.
Product Liability

• Bikes and scooters need to be designed and constructed so that they are safe to use.
• Warning labels are needed on the box and the vehicle.
• An appropriate owner’s manual is needed with warnings.